

SENATE—Wednesday, June 9, 1993

(Legislative day of Monday, June 7, 1993)

The Senate met at 9:30 a.m., on the expiration of the recess, and was called to order by the Honorable BYRON L. DORGAN, a Senator from the State of North Dakota.

The PRESIDING OFFICER. Today's prayer will be offered by the guest chaplain, Rabbi Chaim Moshe Bergstein, Congregation Bais Chabad, Farmington Hills, MI.

PRAYER

The guest chaplain, Rabbi Chaim Moshe Bergstein, Congregation Bais Chabad, Farmington Hills, MI, offered the following prayer:

God, and God of our fathers.

We praise You for choosing this Nation to lead the world and this assembly to be its pathfinders. This country, that began as a haven for the oppressed, has prospered and grown stronger through its diversity. It has developed higher moral principles through its tolerance. Therefore, it is unhampered by the conflicts of the old world, unfettered by its prejudices. This country alone stands unimpeded by any great adversary, limited only by its own resolve and values.

So grant these heirs to the Founding Fathers the vision to see what is right and what can and must be done. Fill them with the understanding to reach consensus, for some stand for enhancing personal opportunity while others stress helping the needy. Abroad, some accent our superpower status, while others punctuate the principles of our Constitution. Although balance is elusive, for this end we must endeavor.

As Hillel taught, "If I am not for myself, who is for me? And if I am only for myself, what am I? And if not now, when?"

Then this watching world, filled with all its troubles, will emulate their ways.

Bask them with the warmth of personal happiness and bestow them with good health so that they will serve with joy. Include in these blessings a speedy recovery for all the ailing of our Nation, and specifically for a great citizen, Rabbi Menachem Mendel, son of Chana Schneerson, Shlita, whose birthday is honored by this august body. Let him lead man to You.

Finally, let them help You usher in the ultimate era of peace, as Maimonides describes the days of Messiah, "In that time there shall be no more hunger nor war, nor envy nor competition, for goodness shall flow abundant, and all delights as plentiful as dust. Then man's pursuit will be to

know his Creator's wisdom, and the knowledge of God will fill the Earth as water covers the ocean floor." Amen.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore [Mr. BYRD].

The bill clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, June 9, 1993.

To The Senate:

Under the provisions of rule I, section 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BRYAN L. DORGAN, a Senator from the State of North Dakota, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. DORGAN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Chair recognizes the Senate majority leader.

SCHEDULE

Mr. MITCHELL. Mr. President and Members of the Senate, this morning there will be a period for morning business until 11 a.m., during which time Senators will be permitted to speak. At 11 a.m., the Senate will resume consideration of the Election Reform Act of 1993, which is the pending business, and pending before the Senate will be an amendment by the Senator from Kentucky.

I expect there will be several amendments and several votes today, so Senators should be on notice that votes may occur at any time and throughout the day and into the evening.

THE JOURNAL

RESERVATION OF LEADER TIME

Mr. MITCHELL. Mr. President, am I correct that, under the previous order, the Journal of proceedings has been deemed approved and the time for the two leaders reserved for their use later in the day?

The ACTING PRESIDENT pro tempore. The Senator is correct.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order there will now be a period for the transaction of morning business not to extend beyond the hour of 11 a.m., with Senators permitted to speak therein for not to exceed 5 minutes.

The Chair recognizes the Senator from Tennessee.

Mr. MATHEWS. I thank the Chair. (The remarks of Mr. MATHEWS pertaining to the submission of Senate Concurrent Resolution 29 are located in today's RECORD under "Submission of Concurrent and Senate Resolutions.")

Mr. MATHEWS. Mr. President, not seeing anyone seeking recognition, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MATHEWS). Without objection, it is so ordered.

NOT WHO WINS AND WHO LOSES

Mr. DORGAN. Mr. President, we are in the throes of enormous controversy in the U.S. Senate, in Washington, and in the country about the reconciliation bill to reduce the country's deficits. I read the newspaper this morning and, once again, I see the issue is who wins and who loses. Is the President losing? Is he having to retreat? Is he having to change his program substantially? Is that a sign of weakness?

Mr. President, it seems to me that the question for us is not who wins and who loses. Everyone in this country loses if we do not do something to end these crippling budget deficits.

As far as the Btu tax is concerned, I say good riddance. The Btu tax, as of this morning, I think, is dead. It will be replaced by a combination of two things: Deeper spending cuts, which the American people want, and less reliance on taxes, which the American people have also told us they want.

There will be an energy tax component in this new proposal, but I think by the end of this week or next week, this proposal to reduce the deficit will come out of this Senate. It will have greater spending reductions, it will have less reliance on taxes, it will not contain a Btu tax, it will contain some refigured or recharacterized energy

tax. But it will move us in the right direction to reduce this country's deficits.

Mr. President, I was in my hometown last Thursday in North Dakota, a small town in southwestern North Dakota, of about 300 or 400 people. They, like everyone else, understand that we need to do something to end these crippling budget deficits. If you were talking about their spending programs in my hometown, they would fight like the dickens to keep their school. That is Government. They want it, they value it, they cherish it, they want to keep it. They understand the need for law enforcement. They fight to have improved streets and roads because they know it and they understand it.

Mr. President, there has been a disconnection between Government and the people in our policies in recent years; not just in the last decade, but even more. We got to a point in this country where there was almost a vending machine kind of political program. You find a national vending machine, you put a quarter in, and you get a new program. Then you move right on to the next program without making sure the program you created to respond to a national problem really works and works effectively and works well. The result is burgeoning Federal spending that exceeds the amount of revenue, a crippling, crushing Federal debt that mortgages our future and the future of our children.

The question today is not who wins and who loses, and the question certainly is not whether we do something about this fiscal policy that has been in recent years dangerous, reckless, and irresponsible. The question is how do we do something about it to put this country back on track? How do we stop spending money we do not have on things we do not need? It takes a lot of courage to do that. There are people here who do not have an ounce of it and say: "Let us just postpone the day of reckoning, let us not make tough choices, let us not offer up tonic that is tough to take. This medicine can taste good, you can feel good."

That is not where we are. It requires all of us to have some courage, maybe risk our jobs, to do what is necessary to fix what is wrong in this country.

My friends on the other side of the aisle say the problem is spending. I say you bet it is, and we ought to cut it and cut it in real ways and honest ways. We also need some revenue, and I hope they say, yes, we do.

I am going to offer, when the reconciliation bill comes to this floor, one little piece of new revenue nobody ought to complain about. We now have a subsidy in the Tax Code that subsidizes companies that want to leave this country and move their plants overseas. We say: "Close up your plant in America, move it overseas and we will give you a tax break; we will pay you to do it."

I have had a bill for 3 years in the House and now in the Senate to deal with this. I intend to offer that as an amendment to the reconciliation bill. That will raise money; that is a tax increase. Should we not stop tax incentives that tell people to move their plants out of this country and take jobs elsewhere? You bet we should. That is a tax increase that ought not to hurt anybody and I hope this Senate will embrace it.

But the point I wanted to make today is let us not frame this debate in the question of whether Bill Clinton wins or loses. This President is compromising because he knows he must. This President is leading because he knows he must. And we must find a way to work together in a bipartisan way toward a common solution that fixes what is wrong in this country so that we can tell our kids we are building a future of hope and opportunity and jobs again for them and for all of us.

Mr. President, I yield the floor.

Mr. MACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MACK. Mr. President, I ask unanimous consent to address the Senate as in morning business for a period not to exceed 10 minutes.

The PRESIDING OFFICER. That is the order this morning.

AN EMPTY ISSUE: CAMPAIGN FINANCE

Mr. MACK. Mr. President, today, we continue to debate an empty issue: campaign finance. If we really want campaign reform, we should adopt term limits. Let me just respond to a point that was made a moment ago of how do we stop spending money we do not have on programs we cannot afford? I guess my first suggestion would be we ought to just defeat the campaign finance reform bill. It has been said that the cost to the taxpayers just to finance the next two Senate elections will be \$113 million. It seems to me this would be an appropriate place to begin and just defeat this bill.

When I was in Florida last week, my constituents told me that we ought to find new ways of cutting spending, not new ways of increasing spending. This campaign finance bill is not cutting spending first; it is raising spending first. It is not what the American people want, and it certainly is not what the American people deserve.

During the week I spent in my State, I listened to the hopes and dreams of Floridians who want steady jobs and better lives for their families. I also heard about their doubts and their fears. What I heard most was their overwhelming concern that Government is too big, too intrusive on their lives, too out of control, and that spending must be cut. Above all else, they want us to cut spending first.

Let me cite just one story to illustrate that. I was traveling from Tampa to Orlando, and I stopped at a little restaurant called Buddy Freddie's just off Interstate 4. When I was having dinner, a fellow came up to me and said, "I have a very simple message: Cut spending; cut it, cut it, cut it."

The message of cutting spending is the same message sent by the people of Texas over the weekend. They rejected the candidate of the President's own party by an overwhelming 2-to-1 margin and elected KAY BAILEY HUTCHISON who campaigned to cut spending first.

But the President and his people just do not seem to listen. On the weekend TV talk shows the Secretary of the Treasury was busy defending the Btu tax. Spending cuts to the extent that they were mentioned were an afterthought.

Yesterday, however, the President said he would drop this crucial component of his tax bill. Does this retreat mean the President wants to abandon his tax-and-spend policies? Does it mean that he is finally listening to the American voters?

Unfortunately, I do not think so. If he were listening to the American people, he would substitute spending cuts for his Btu tax. But instead, he just wants to find another way of raising taxes.

The chairman of the Finance Committee, my friend, the senior Senator from New York, appeared on another TV talk show this weekend and insisted that "We're going to have a program that is equal part spending reductions and increases taxes."

In other words, one for one. He clearly was trying to put a good face on the President's plan, claiming it will have as many spending cuts as tax increases after they scramble to cut an extra \$51 billion over 5 years and find a substitute to the energy tax.

But the puzzling thing is that the majority leader told us that the package of a couple of weeks ago had spending cuts equal to tax increases. Which is it? Did the old package have spending cuts equal to tax increases, or will the new package have spending cuts equal to tax increases? It cannot be both. If the Democrat leaders can get together and clear up this confusion, I am sure the rest of us would appreciate it.

But the irony is that voters do not care about these phony spending to tax ratios. They have been misled too many times. They know that Congress fiddles with the numbers and in the end no real spending cuts are made.

They are right. The ratio of taxes to spending cuts in the President's plan is not 1-to-1. In reality, the spending cuts are only a tiny fraction of the tax increases, and even then they are promised for the future.

The voters want to see spending cuts first, period. They want to see the

President do what he promised and cut spending. Then and only then might they take the President seriously.

The President just does not seem to get it. Just last month, in commenting about the House version of the tax bill, he let slip that it will "bring in more revenues and permit us to spend more." It is clear he has in mind, and it is not what the American voters want.

The President's foot soldiers in the House of Representatives seem to get it even less. In their version of the President's tax bill, they stripped away the requirement that Social Security taxes be used to pay for Social Security benefits. The House bill specifically prohibits new revenues from the tax hike on Social Security benefits to be used for Social Security. This means the President's program writes into law that money which ought to go into the Social Security trust fund is forbidden to do so and will instead go toward the President's new spending. This is a practice which even the chairman of the Finance Committee has previously described as "thievery" and "embezzlement."

Mr. President, the bill on the floor today may be campaign finance, but the real issue is spending. Americans want Government to cut spending and neither Congress nor President Clinton is doing it.

I thank the Chair.

Mr. GORTON addressed the Chair.

The PRESIDING OFFICER (Mr. FEINGOLD). The Chair recognizes the Senator from Washington [Mr. GORTON].

JAPANESE IMPORTATION OF APPLES

Mr. GORTON. Mr. President, in 1971, the Japanese Government lifted its restrictions which prohibited the importation of apples from the United States and from other countries to compete in the Japanese market against the local product. That was 22 years ago.

To this date, not one single apple from the United States, or from any other country, has been permitted into Japan. A series of regulations nominally imposed for phytosanitary reasons have been cited year after year and decade after decade to protect the market for the produce of the handful of Japanese apple orchards.

This Senator had the pleasure during the course of last week to spend 3 days in Japan discussing this matter with relevant Japanese officials, accompanied by several apple producers and members of the Washington State Apple Commission. This Senator would have to confess that he doubts that he would have had any greater degree of success than that attending previous groups visiting Japan for the same purpose, except for the very strong support which this Senator got from the

Clinton administration through Secretary of Agriculture Espy and United States Trade Representative Kantor.

While previous administrations have supported opening that Japanese apple market, it is only with this administration that the situation has reached a Government-to-Government level and has been treated, properly, as a political and not a safety or phytosanitary issue.

The Trade Representative's Office has gone so far as to state that it regards this continuing prohibition as an invalid trade barrier and one which potentially can call for section 301 sanctions against the Japanese.

This Senator can report to you, Mr. President, that that message is received in Japan and is being treated with a great deal of seriousness.

In addition to the strong support from these two agencies of our Government in the United States, this Senator wishes to commend the work of the Ambassador to Japan, Mr. Armacost and two members of the Foreign Agricultural Service assigned to the embassy in Tokyo, Messrs. Parker and Miller, both of whom were of great assistance to this Senator and to his companions from the State of Washington during the course of the last week. We have visited with high-ranking officials at the level of vice-minister in the Ministry of Foreign Affairs and the Ministry of Agriculture, Fisheries and Forests with six additional members of the Japanese Diet. We left with them the message that we did regard this as a political issue; that we no longer regarded their technical objections as having any merit whatsoever, and viewed them as being designed entirely to protect the growers in Japan against perceived competition. Competition, it would be, Mr. President, as apples from Washington State, or from other States in the United States, would probably sell in the marketplace in Tokyo at a price between 20 and 25 percent of the price for apples produced in Japan itself.

That competition would obviously be healthy. It would be of great advantage to Japanese consumers who seem systematically underrepresented in the councils of Government in Japan itself.

These meetings last week were succeeded on Monday and yesterday by another set of technical discussions here in Washington, DC, between the two parties.

We, in Tokyo, insisted that these meetings here be considered to be definitive and that they be followed during the course of this month by a necessary visit on the part of Japanese inspectors to orchards in central Washington.

Acting on a set of requirements laid out by the Japanese in February of last year, there are now some 3,500 acres of orchards in central Washington growing apples specifically for the Japanese

market under all of the requirements which were laid out at that time.

The cost of meeting these requirements adds substantially to the cost of producing apples in these orchards. They cannot be sold on the American market except at a very considerable loss. After meeting all of those requirements, the Japanese this year have come up with an additional set of requirements the result of which is the decision by our Ambassador to Japan and by the Trade Representative here that these objections are no longer technical but are purely protectionist in their view.

It is a goal of our growers and of our Secretary of Agriculture of the Government of the United States and of the Washington State Apple Commission that that Japanese market be opened to this year's crop of apples on January 1, 1994.

This Senator does not wish to end these remarks without commending three other Members of this body, Senators LUGAR, KASSEBAUM, and BRADLEY, who were also in Japan last week and who carried our message to a joint meeting of American Parliamentarians and Japanese Parliamentarians in an eloquent and I think effective fashion. Their help, together with that of the administration, is much appreciated by this Senator and by the apple growers of Washington State.

This provides a tremendous opportunity for Japan to lower another trade barrier and to lower some of the causes for distrust between our two countries on trade-related matters. I trust that the Japanese Government will act promptly to end this unfair trade barrier, and to end an unnecessary aggravation in the relationships between our two nations and that we will soon be in that market.

Thank you.

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, for how long am I recognized?

The PRESIDING OFFICER. The Senator is recognized until 11 o'clock.

Mr. BYRD. Mr. President, I have 1 hour, do I not?

I ask unanimous consent that I may proceed for the full hour which I was allotted.

The PRESIDING OFFICER. Without objection, it is so ordered.

LINE ITEM VETO—V

Mr. BYRD. Mr. President, when I last spoke on this subject. I spoke of the provocations by the city of Tarentum which resulted in the visitation by a Roman Senator, Lucius Postumius Megellus, who demanded reparations from the Tarentines for the destruction of four Roman galleys, the taking of another, and the butchering of the Roman crew.

I also spoke of the insults that were heaped upon Postumius by the Tarentines, and of the drunken Philonides who stood at the exit of the theater, as Postumius was prepared to retire, and being full of yesterday's wine bespattered the Roman's toga with filth.

This created a great deal of amusement among the Tarentines and the theater rocked with their laughter. Postumius exclaimed "Laugh, laugh while you may, Tarentines! For long will be the time when you will weep hereafter. It will take not a little blood to wash this robe."

The Tarentines, as we noted, called in Pyrrhus, the King of Epirus, the great Greek general. We noted the Battle of Heraclea in 280 and the Battle of Asculum in 279, in both of which battles Pyrrhus was victorious but suffered severe losses.

He was defeated at the Battle of Beneventum in 275. So struck with admiration for Roman valor was Pyrrhus that he exclaimed, "How easy it were for me to win the empire of the world if I had an army of Romans, or for the Romans to win if they had me as their king."

We noted then that in 272, the city of Tarentum fell. And this completed the domination of the Italian peninsula by the Romans.

With the unification of Italy, Rome entered upon a new era in her foreign relations. The city-state of Carthage at this time was the dominant power in the Mediterranean. Carthage was located on the northern coast of Africa, about where the city of Tunis is today.

Carthage had been a colony of the Phoenician city of Tyre, and when the Phoenician cities in Asia Minor had passed under the control of the Babylonians in the sixth century B.C. and had been incorporated into the Persian Empire, Carthage and other Phoenician settlements severed their ties with the homeland. Carthage had been founded in the latter part of the eighth century, although in the minds of some historians, it had been founded a century earlier, in 814 B.C., in the latter part of the ninth century. Carthage was a trading power. She was not militarily aggressive. She depended upon trade and commerce for her prosperity. And she dominated the western Mediterranean from Sicily to Gibraltar, and north and south thereof in the Atlantic.

Having a commercial monopoly in the western Mediterranean, it was necessary for Carthage to be a naval power, and she was the undisputed mistress of the seas from the Strait of Messina in northeast Sicily to the Strait of Gibraltar and beyond, north and south. She possessed most of Sicily except for the town of Messina, on the northeast corner, and Syracuse in the southeast. She also possessed Sardinia, Corsica, the Balearic Islands, the other

islands in the western Mediterranean, most of Iberia—now Spain—from which she received agricultural products, silver, copper, and iron. She received tin from what is now England, and ivory and gold from the west coast of Africa.

Carthage, unlike Rome, had no organized national army. She depended upon mercenaries recruited from warlike peoples, such as the Spaniards, the Libyans, and the Gauls. This was the state which Rome now faced following her conquering of southern Italy. This was the power which Rome would challenge in a war for dominion beyond the peninsula.

The first war between Rome and Carthage grew out of the political situation in Sicily, where a band of Campanian mercenaries had occupied the city of Messina and had become a menace to their neighbors, the Syracusans. King Hiero of Syracuse was at the point of conquering Messina when the Campanians appealed to the Carthaginians for assistance. The Carthaginians responded by establishing a garrison in Messina. It was not long before the Campanian mercenaries, who called themselves Mamertines, realized that they had slipped out of the frying pan into the fire, because the Carthaginians showed no indications of leaving. The Campanian mercenaries, therefore, appealed to Rome to help them get rid of the Carthaginians.

The Roman Senate was quick to note that the occupation of Messina by the Carthaginians would put the Carthaginians in control of the Strait of Messina, and would constitute a perpetual threat to southern Italy, and eventually to Rome itself.

Therefore, the Roman Senate authorized the levy of two Roman legions, and they were dispatched to Sicily in 264 B.C. This was the beginning of the first Punic War. There were three Punic Wars, so designated by Cicero. Actually, it was one war extending intermittently from 264 B.C. to 146 B.C., a total of 118 years. But the first stage of the war, referred to as the first Punic War, lasted from 264 B.C. to 241 B.C.

So, Rome found itself at war with Carthage in 264 B.C. By 261 B.C., the Roman Senate realized the necessity for creating a large naval fleet, which could challenge the naval supremacy of Carthage; and the Romans used as their model a Carthaginian warship which had washed ashore and been left stranded. Within a few months, the Romans had built 120 vessels, of which 100 were quinqueremes and 20 were triremes. The triremes were manned by 150 rowers, each manipulating one oar. Each quinquereme had a complement of 300 rowers and 120 fighting men. The quinquereme had huge oars, each manned by five rowers. The quinquereme was the first-class battleship of the day, quite an undertaking

for the Romans, who had never before had warships, never before had a navy.

In 260 B.C., a Roman consul by the name of Gaius Duilius, commander of the Roman naval fleet, challenged a superior Carthaginian fleet off Mylae, at the northeastern tip of Sicily, and destroyed the Carthaginian fleet. It was a victory as decisive as it was surprising.

In 256 B.C., the Romans landed a consul and his consular army in Africa. His name was Marcus Atilius Regulus, and at first he was victorious over the Carthaginians. But in 255 B.C., he met with a serious disaster in connection with which he himself was taken prisoner. The Carthaginians treated their Roman prisoners with consideration, except for Regulus, whom they kept in a state of utter misery. They gave him just enough food to stay alive, and they constantly paraded a huge elephant near him so as to frighten him and allow him no peace of body or mind.

In 249 B.C., the Carthaginians decided to send some envoys to Rome to propose peace, and they sent Marcus Atilius Regulus, the Roman consul, along with the envoys, believing that their object would be gained by virtue of the standing and valor of the man. The Carthaginians exacted from Regulus, before he left Carthage, an oath to return to Carthage without fail. When Regulus was brought into the Senate House, he explained to the Romans that he had been sent with the envoys to make a peace that would be pleasing to both parties, if possible; but if this were not possible, he was to try to effect an exchange of the prisoners.

The Roman Senate asked Regulus for his opinion. Regulus, according to Cassius Dio Cocceianus, answered: "As a prisoner of the Carthaginians, my body is a Carthaginian chattel, but my spirit is yours. As a captive, I belong to the Carthaginians; yet, inasmuch as I met with misfortune, not from cowardice, but from zeal, I am not only a Roman, but I also have your cause at heart. Not in one single respect do I think reconciliation advantageous to you."

The Roman Senate then, out of consideration for Regulus' safety, showed a disposition to free the captives; whereupon, Regulus explained his reasons for believing that the rejection of the Carthaginian proposal was in the interest of the Romans.

He added: "I know that manifest destruction awaits me, for it is impossible to keep them from learning the advice I have given you. Even so, I esteem my country's advantage above my own safety."

When the Roman consuls suggested that Regulus remain in Rome and not return to Carthage as a prisoner, Regulus answered: "I have sworn to them to return, and I will not transgress my oaths, not even when they have been given to enemies."

Hence, no agreement was reached with the envoys and no exchange of prisoners was made.

When Regulus was departing in the company of the Carthaginian envoys, his wife and little children clung to him tearfully. The Senate told Regulus that they would not surrender him if he chose to stay, but inasmuch as he was determined to keep the oath that he had given, he was sent back to Carthage, where he was tortured to death. The Carthaginians cut off his eyelids, and cast him into a specially constructed enclosure bristling with spikes, and made him face the sun. Therefore, from his suffering and sleeplessness—the spikes would not allow him to recline in any fashion—he perished.

Mr. President, this is an example of a Roman who valued his oath above his life. Montesquieu said that the Romans were the most religious people in the world when it came to an oath, which always formed the nerve of their military discipline.

Mr. President, the Constitution of the United States, under article VI, requires Senators, Representatives, Members of the State legislatures, and all executive and judicial officers, state and federal, to take an oath to support and defend the Constitution of the United States.

Six times I have stood before the Senate and sworn, by that oath, to support and defend the Constitution of the United States against all enemies foreign and domestic. And many times I have stood at that desk as the Presiding Officer and administered the oath to others who were entering upon the office of Senator.

How serious do we regard this oath? Sometimes I wonder if we ever think of it again until the next 6 years have passed and we take it again upon being reelected to the office of Senator.

That Constitution provides that the power of the purse shall be vested in the Congress of the United States. We swear before God—our Maker, Creator of life and life eternal—and before man that we will support and defend that Constitution. Yet, there are those in this body who would support the shifting of that power over the purse, at least in part, to the Chief Executive.

We ought to be serious about that oath. We ought to remember that the Constitution, vests the power of the purse in the legislative branch.

Regulus was true to his oath.

In 247 B.C., Hamilcar Barca, a new Carthaginian general, was appointed to the command in Sicily. He infused new life, new enthusiasm into the Carthaginian cause. Hamilcar was a military genius. He kept the Romans at bay for the next 6 years until, in 242 B.C., a Roman fleet under Lutatius Catulus destroyed a Carthaginian relief expedition at the battle of the Aegates Islands, just west of northern Sicily. It

was impossible for the Carthaginians to prolong the struggle further in view of the fact that they were completely cut off in Sicily. Therefore, Carthage was forced to sue for peace, and peace was restored in 241 B.C.

The result of the first Punic war was that Carthage gave up Sicily to the Romans. Immediately following peace, a war broke out in Carthage, because the mercenaries who had been employed by the government of Carthage to fight the Romans in Sicily were not paid in accordance with the promises of the Carthaginian government. The Mercenary War in Carthage lasted 3 years. The mercenaries were finally cruelly put down by Hamilcar Barca. During this time, when Carthage was suffering in extremis, the Roman Senate saw the opportunity to take advantage of Carthage's vulnerabilities and seize Sardinia and Corsica.

In 237 B.C., the Carthaginians dispatched a new army under the command of Hamilcar Barca to Spain, and for 8 years, Hamilcar Barca, through the arts of diplomacy and also through the making of war, reduced many of the Iberian tribes to loyalty to Carthage. In 229 B.C., Hamilcar Barca died in a manner that was worthy of his great achievements, for he perished in a battle with the most warlike and powerful tribes, during which battle he showed a conspicuous and even reckless personal gallantry.

Upon Hamilcar's death, the Carthaginians invested his son-in-law, Hasdrubal, with the command, and Hasdrubal continued to subject the Iberian tribes to the domination of Carthage. Hasdrubal founded New Carthage, on the southern coast of Spain. After 8 years, he was assassinated in his own house at night by a Celt in revenge for some private wrong, following which Hannibal was invested with the command in Spain.

Hannibal had been sworn by his father, Hamilcar Barca, on their way to Spain, to forever have enmity toward Rome. Hamilcar Barca had taken Hannibal to the altar and had him place his hand upon the sacrificial victim and swear an oath that he would never be a friend of Rome.

Hannibal, therefore, inherited from his father a fierce, even bitter, hatred for Rome. Hannibal continued to bring the Iberian tribes into submission, and he laid siege to Saguntum, an old town with cyclopean walls, well defended. It was commanded by a pro-Roman faction, an anti-Carthaginian element. Rome, therefore, had, in effect, an enclave in Iberia. Saguntum, which held out bravely for 8 months, finally fell, with the inevitable rapine and massacre that marked the end of long-disputed sieges in ancient times.

The Roman Senate then dispatched an envoy to Carthage to inquire as to whether Hannibal had acted on his own initiative or under the orders of

Carthage. If Carthage disavowed the actions of Hannibal, then he would have to be surrendered over to the hands of Roman authorities. But Carthage refused to surrender Hannibal, and the Carthaginian representatives then asked the Roman ambassador what his intentions were.

The Roman, who was named Marcus Fabius Buteo, placed his hand under his toga and said, "I hold in my hand both war and peace. Which will you choose?"

The Carthaginians, after some consultation, returned and told the Roman that he himself should make the decision, whereupon Buteo, in a very melodramatic gesture, withdrew his hand from his bosom and said, "I let fall war!" The Carthaginians responded, "We accept!"

And so in this very casual manner there began, what Titus Livius, the Roman historian, referred to as "the most memorable of all wars," the second Punic war.

There were three Barca brothers in Spain: Hannibal, Hasdrubal, and Mago. Mago was the youngest of the three brothers. Hasdrubal is not to be confused with the now-deceased son-in-law of Hamilcar Barca. These three brothers were known as "the Lion's Brood" throughout the army. They had prepared for the most audacious military move in history—an invasion of Italy by way of the forbidding and hitherto untried crossing over the Alps. No one had conceived that a whole army could be moved from the West, through the treacherous Alpine passes, and down into Italy. Such a course would be nothing less than sheer madness. But the intrepid Carthaginian, Hannibal—remember Napoleon had placed Hannibal higher than any other general in antiquity—this intrepid Carthaginian determined that where there was no way, he would make one. And he did.

In the spring of 218 B.C., with most of Iberia south of the Ebro River united behind him, Hannibal was ready for his departure. Hasdrubal was to remain in Iberia—Spain—to keep control over the Iberian tribes and to protect Carthaginian interests. Mago was to accompany Hannibal.

In the early spring of 218 B.C., Hannibal set out from Spain. He traversed the wild Pyrenees, the unknown land populated by barbarian savages in southern Gaul, and the fearsome Alps, and reached the plains of the Po River Valley 5 months later. Polybius, the historian, says the actual passage over the Alps required 15 days, and that Hannibal reached the valley of the Padus River with such of his army as had survived.

Hannibal had sustained great losses in men and horses and pack animals on the terrible journey over the Alps, during which he had been faced with storms, heavy snows, ice, attacks from hostile tribes, traveling over treach-

erous precipices and through dangerous passes, confronted with heavy winds, rock slides, sub-zero temperatures, and miserable conditions of hunger. It had proved impossible to carry a full supply of food for so many thousands over such mountains. And much of what they did bring was lost, together with the beasts of burden that carried it.

Hannibal's men had quite abandoned all care for their health, and they suffered from the terrible neglect of proper attention to physical necessities. Whereas Hannibal had crossed the Rhone River with 46,000 men, he reached the valley of the Po with only 26,000. He had lost almost half of his army in the pass.

Napoleon had said of Hannibal, "He bought his battlefield at the price of half his army."

The survivors, through their terrible sufferings, had taken on the appearance of savages. Hannibal, therefore, spent his whole energies in restoring the spirits and the bodies of his men and their animals, among which were three dozen emaciated elephants.

As soon as his men and their animals had sufficiently recuperated, Hannibal moved rapidly to attack the nearby towns, because now he was up against the tough, disciplined armies of Rome, and he felt it necessary to convince the Gauls of northern Italy that the Carthaginians were their deliverers against the Roman oppressor. He rapidly attacked the cities, put to the sword all who resisted him, and welcomed to his standard all who would join.

These simple successes achieved their purpose, and thousands of Gauls in the surrounding area joined the ranks of Hannibal.

Two Roman consuls, in November, 218 B.C., by the names of Publius Cornelius Scipio and Tiberius Sempronius Longus, advanced to grapple with Hannibal. Before their two armies could unite, Scipio bridged the Ticinus River, a tributary of the Po. He had gotten his troops across when Hannibal with his cavalry attacked and outflanked the Romans, and they withdrew in confusion. But Hannibal followed hard upon their heels and captured 600 of the Romans, whereupon, 2,000 Gauls revolted against their Roman masters and went over to Hannibal.

Scipio had been severely wounded in this cavalry exchange and this, together with the disturbing defection of 2,000 Gauls, influenced his decision not to enter into a major battle with Hannibal until he had been joined with his fellow consul, Sempronius Longus.

Meanwhile, the nearby storage depot at Clastidium was betrayed into the hands of Hannibal by the commander of the town. Its granary served the Carthaginians well, as the cold winter of northern Italy set in.

Sempronius, then, in December 218 B.C., moved to join Scipio. Sempronius

was an ambitious man. He was overly eager to give battle to Hannibal before his consular term expired. Hannibal, from the very beginning of the campaign, months and months prior thereto, had maintained an espionage system in Italy. And it was upon the suspected ambition of Sempronius Longus and his desire for a quick victory over Hannibal that Hannibal based his strategy. Hannibal knew how to make the terrain work for him and, knowing of Sempronius' desire for a quick victory, Hannibal set up an ambush and lured the whole Roman army across the Trebbia River and into the flat land where Hannibal's troops were drawn up for battle.

The trap was set. When the two armies came to hand-to-hand combat, Mago, the youngest of the three Barca brothers, emerged from a concealed area with 1,000 horsemen and 1,000 foot soldiers and fell upon the rear of the Roman armies. It was a set piece battle; a model of care and preparation; a triumph of strategy and tactical planning.

The Romans were outgeneraled, and their army of 40,000 men was cut to pieces. Thousands of Romans and their allied forces were killed at the Trebbia River.

The cavalry encounter at the Ticinus River was but the first peremptory tap upon an ominous drum. But the rout and destruction of two Roman consular armies at the Trebbia River was no murmur of thunder in the distant hills. It was the deep rumble of an advancing avalanche that would shake Italy to its foundations.

Hannibal was wounded in the battle, but despite his wound he captured the large trading post of Victumulae, where he had been met with a hostile population of Gauls who opposed his attack upon the town. He routed the Gauls and completely exterminated them, because it was vital that the Gauls of northern Italy understand that fortune and freedom lay with joining the Carthaginian, and that he was even more merciless than the Romans if opposed.

Hannibal's relations with the Gauls were all-important for his success in the years ahead. He promised them, as he promised the men who had followed him from Spain, all of the lands they conquered, the booty of Italy, and the wealth of Rome.

These were the men on whom he would have to depend for the bulk of his army in the years to come, because he had no other manpower reserve. He was cut off from his base in Spain, and the Carthaginian government would never send him any supplies, never reinforce his army. These were the men, therefore, that he had to convince with his cunning, his intelligence, his skill, and his courage.

At the same time, he had to seduce away from Rome her non-Roman Ital-

ian allies, the Latins, and so on. If he could break up the confederation of Italian states, he would take away the manpower reserves upon which Rome also had to depend, and he would isolate Rome.

In 217 B.C., two new consuls, Gaius Flaminius and Gnaeus Servilius Geminus were chosen. In view of the fact that both existing Roman consular armies had been destroyed at the Battle of the Trebbia River, four new legions were levied.

I should state at this point that a Roman consular army consisted of two legions, each made up of from 4,200 to 6,000 men—if they were fully fleshed out—and 300 cavalry. A praetor had control over one legion. Along with the legions, there was an equal number of Italian allies. Consequently, each Roman consul commanded two Roman legions, amounting to 10,000 to 12,000 men, together with an equal number of allied forces. Therefore, a consular army was made up of 20,000 to 25,000 men, and two consular armies, therefore, amounted to 40,000 to 50,000 men.

Flaminius was hostile toward the Roman Senate, and he also had quite a high opinion of his own military prowess because of a previous successful military campaign against the Gauls. Early in the spring of 217 B.C., Hannibal moved south into Etruria, but he chose a difficult route that the Romans would never have anticipated, crossing the marshes of the lower Arno River—marching 3 continuous days and nights through water. Only one of the 37 elephants that had accompanied Hannibal across the Alps now survived, and Hannibal rode that elephant. It was here that Hannibal lost an eye. Juvenal, Roman satirical poet, refers to Hannibal as the "one-eyed commander on his monstrous beast." Hannibal had stolen a brilliant tactical advantage over Flaminius and Geminus.

Far to the east, Geminus and his troops watched the roads and passes along the Adriatic. To the south, Flaminius waited at Arretium to bar the road to Rome. But Hannibal never intended to confront his enemies on a field not of his choosing.

He had bypassed Flaminius and moved toward Lake Trasimene, where his military genius quickly perceived that nature's terrain was ideal for a trap designed for slaughter. He arrived in advance of Flaminius.

On the border of Lake Trasimene, there was a narrow defile through which the road ran into a narrow valley. Hannibal arrived in advance of Flaminius and pitched his encampment on a hill at the far end of the valley. It was a steep hill and in full view of the entrance at the narrow defile. Hannibal stationed his Spanish and African infantry troops in front of the hill. And then, extending in order toward the entrance, he placed his Balearic slingers and his other light-arm troops under

the cover of the hills. Farther along, and nearer the entrance, he stationed the Gauls and the cavalry.

Having made these elaborate preparations, Hannibal remained quiet and waited. The trap was set. Flaminius came along later in the day and saw Hannibal's camp on the hill at the other end of the valley. Inasmuch as darkness was coming on, Flaminius pitched his camp near the entrance to the valley.

The next morning at daybreak, Flaminius moved his forces forward into the valley along the narrow defile and proceeded by the border of Lake Trasimene, with the idea in view that he would engage Hannibal at the far end of the valley.

When the Roman troops were almost all within the valley, and the forward forces were almost upon Hannibal, he gave the signal to attack. When the trumpet sound reverberated through that valley, the trap was sprung. Hannibal's troops, who were lying in ambush behind the hills, delivered an assault upon the Roman columns, and the assault came everywhere at once—the front, the rear, and flank.

Flaminius was taken by complete surprise. Hannibal's forces came down from the hills and attacked at all points at once. The Romans were under the utmost distress and danger.

Polybius says in his history that 15,000 Romans died in the valley that day.

The Romans who were caught in the narrow defile died in a most horrible manner. Pressed, as they were, into the lake by the Gauls and the Carthaginian cavalry, many of them, in their frantic terror, endeavored to swim with their armor on and were drowned. The greater number, however, waded into the lake as far as they could go and remained there with their heads above water. When the Carthaginian cavalry rode in after them, and they saw death staring them in the face, they held up their hands, offered to surrender, and begged for mercy. The Carthaginian cavalry dispatched them, except for those Romans who preferred to inflict the mortal blow on themselves.

Flaminius, the consul, was killed. His body was never found. When the disastrous news reached Rome, the Romans were called to assemble. The praetor announced the gravity of the blow: "We have been beaten in a great battle."

Mr. President, throughout the Punic Wars we saw, and we will see, that it was the Roman Senate that led the Roman people through every trial to victory.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CAMPBELL). The Senator's time has expired.

IRRESPONSIBLE CONGRESS? HERE IS TODAY'S BOX SCORE

Mr. HELMS. Mr. President, the Federal debt stood at \$4,301,281,229.971.00 as of the close of business on Monday, June 7, 1993. Average out, every man, woman, and child in America owes a part of this massive debt, and that per capita share is \$16,745.69.

HOWARD'S FRIENDLY MARKET

Mr. LEAHY. Mr. President, the Howard family has been selling groceries to folks in Washington County and beyond for 90 years from the same approximate location.

Any business approaching its 100th anniversary has earned the trust and respect of the public it serves. And from its founding in 1903 by Dwight Howard, the Howards have sold groceries from the original location on the west side of Route 14 to their present location down the same road at the intersection of the Middle Road to Graniteville.

Howard's Friendly Market is a wonderful place to shop on Saturday mornings. There's a lot going on both inside and outside the store, and the parking lot has become a gathering place where neighbors get a chance to visit. In fact, I took advantage of their hospitality and campaigned in that parking lot with Abigail Van Buren. It did not escape my notice that "Dear Abby" gathered far more attention, and a larger crowd, than I did.

Jim Howard, Dwight's son, oversaw the expansion over central Vermont's largest privately owned grocery store. And Jeff Howard, Jim's son, is the new manager, following an old tradition of providing quality products and a neighborly atmosphere that makes shopping downright pleasant for thousands of Vermont patrons.

In commemoration of the 93d anniversary of Howard's Friendly Market, the following news article appeared in the Times Argus, of Barre-Montpelier on May 13, 1993, written by David Delcore. I ask that it be reprinted in its entirety in the CONGRESSIONAL RECORD so that more people will learn and appreciate the very successful neighborhood supermarket that has been serving our area for almost a century.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Times Argus, May 13, 1993]

THE HOWARDS—STILL "FRIENDLY" AFTER 90 YEARS

(By David Delcore)

Two-tenths of a mile and five generations are all that separate two Barre Town buildings where one "friendly" family has been making a living for 90 years now on their reputation for top quality service.

The family's name is Howard.

Their business is selling things.

And, the two buildings where they have practiced—some might say perfected—that

trade are located a stone's throw apart, on opposite sides of Route 14 in South Barre.

But, despite their proximity, the old corner grocery store where Dwight C. Howard started peddling plug tobacco and pipe cleaners in 1903 and the modern supermarket where his great-great-grandson Jeff now sells everything from batteries to baked goods, seem like they are a world apart.

In many respects they are.

Back in Dwight Howard's day you pumped molasses from a keg, bottled your own milk and sold most groceries—from coffee and cookies to sugar and spice—"in bulk," out of barrels that once filled the building where the Vermont Lottery Commission now promotes Megabucks.

Today, thanks to his father Jim's eight-year-old gamble, Jeff Howard manages one of central Vermont's most competitive grocery stores: Howard's Friendly Market.

Complete with its own branch bank, electronic doors and shopping carts equipped with calculators, the new supermarket still sells some items, like Gummy Bears and yogurt pretzels "in bulk," but it bears little resemblance to the old store where Jim Howard grew up working the cash register, stocking shelves and delivering groceries for his father, Grafton Howard.

A Barre Town native, Jim Howard celebrated his 51st birthday Wednesday—just two days after collecting this year's Wendell F. Peakey Citizenship and Service Award from selectmen in honor of a life-time of public service and community leadership.

But, Howard said the 90th anniversary of the business that was started by his great-grandfather and is now being run by his son overshadows those two events.

"I think it's great we've been around for as long as we have and we look forward to serving the area for many years to come," said Howard, who has turned over the day-to-day operation of the business to his son, but is still president of the company.

A 1961 graduate of Burdett Business College in Boston, Jim Howard began managing the old market in 1963 and bought the business from his father in 1980.

By that time, Howard had determined that the business needed to expand to remain competitive—a reality that meant moving to a new location.

"We just didn't have room for the merchandise we needed to keep up with the times," Howard recalled. "We were doing as much as we could ever do in that building and I felt we'd be going backwards if we didn't do something."

So Howard decided to ignore his father's advice and build a new store "down the road" from the old one.

"My dad was against it at the time," Howard recalled. "He didn't like the idea of change or the investment that would be needed to make that change."

Thankfully, Jim Howard said his father's opinion of the move and the mortgage changed once it became clear the new store, which opened in April, 1985, would be a success.

"That's the best part about the move," Howard said. "It worked."

Jim wasn't the first Howard son that disagreed with his dad over a business decision. And, he admitted, he wasn't the last.

"Jeff and I disagree about a lot of things," he said, noting that he has adopted his father's technique of advising, but not dictating to his son.

"They are Jeff's decisions now," Howard said. "I'm just here to help."

That has been the way the business has been handled in the Howard family for five generations.

When Dwight Howard turned the business over to his son, Guy in 1913, the younger Howard chose to run it as a general store—selling everything from groceries to clothing.

"Everything but cigarettes," Jim Howard said, recalling his grandfather's refusal to carry anything but plug tobacco. "He didn't want anything to do with cigarettes."

However, that changed in 1956, when Guy Howard took over the market.

"My grandfather (Guy) was kind of upset when my dad (Grafton) decided to sell alcohol," Jim Howard recalled. "But, he got over it. . . . He let dad run the business, just like dad let me run it when I took over."

It is an approach to business that has worked in the Howard family as the market has been handed down from father to son and modified, modernized, improved and changed.

Once Howard's Market, even the store's name has changed over the years.

Thanks to a remnant of 1960's advertising campaign the store is commonly called Howard's Friendly Market—a modifier that promotes the family's commitment to customer service.

"The customers are the key," Jim Howard said. "Without customers you don't have a business."

That is a message that is imparted to each one of the store's 120 employees and was the cornerstone of the corner grocery Dwight Howard bought 90 years ago.

"Customers come first," Jim Howard said. "That was true when I was delivering groceries as a kid and it's still true today."

As they say, some things never change.

FINANCING ADVANCED TECHNOLOGY THROUGH THE SBA

Mr. PRESSLER. Mr. President, this morning the Senate Small Business Committee held a hearing on investments in critical technologies using existing Small Business Administration [SBA] financing programs. As the ranking member of the Small Business Committee, I want to report to my colleagues that this was an extremely informative hearing where members of the committee listened to testimony by the new SBA Administrator, Erskine Bowles, and a host of others who, like Mr. Bowles, are venture capital financing experts.

Venture capital investment in America's small businesses plays a vital role in encouraging growth and creating more jobs in our economy. Developing and marketing new technologies provides small companies with the greatest potential for rapid growth. These two propositions are at the heart of what the committee discussed this morning.

I long have been a supporter of promoting the development and commercialization of critical civilian technology in the United States. In doing so, I always have maintained that the Federal Government should try to keep out of the way of the private sector. Free market forces should be allowed to work wherever possible, as opposed to Government intervention designed to pick which technological winners are worthy of development.

In addition to my work on the Small Business Committee to improve the SBA's Small Business Investment Company [SBIC] Program, I have been working in the Senate Commerce Committee on S. 4, the National Competitiveness Act of 1993, a bill designed to improve our Nation's development and marketing of critical technologies. S. 4 contains a proposal for a pilot program to create a Critical Technology Investment Companies [CTIC's] Program within the Commerce Department. The CTIC Program is modeled directly after the SBIC Program. However, CTIC's also would be able to provide venture capital to large companies like Xerox and IBM in addition to small businesses.

I questioned Commerce Secretary Ron Brown about the provision during a Senate Commerce Committee hearing on S. 4 in February. In a written response he asserted, "CTIC proposal attempts to channel funding to smaller high-technology companies needing less than \$2 million and that may be years away from payoff." In other words, the Commerce Department would have to build the CTIC Program from the ground up.

It would be done even though the SBIC program at SBA has a 35-year track record, much of it in technology financing. Over 25 percent of total SBIC financing went to advanced technology companies in 1992. Historically, SBIC's have provided early-stage financing for such high-technology success stories as Intel Corp., Apple Computer, Cray Research, and Compaq. The National Competitiveness Act would thus create a program that largely duplicates a SBA program that has proven its worth time and time again.

As I mentioned earlier, S. 4 also contains no limit on the size of the recipient company—allowing a Fortune 500 company to qualify for Government financing. During a period in which Congress is faced with scarce resources, we must consider whether those resources could not be used more wisely by helping small companies that have a good idea, but are shut out of traditional capital markets simply because of their size. Larger companies are able to obtain venture capital from a variety of nongovernmental sources. Small businesses, like the small high-technology computer firm InterActive, Inc., in my hometown of Humboldt, SD, do not have such access.

I have filed a floor amendment to S. 4 that would move the CTIC pilot program from the Commerce Department to SBA. My amendment would achieve two goals. It would prevent duplication in Government services and target scarce Federal resources where they are most needed.

I have been working very closely in effort with Chairman BUMPERS and I commend and thank him for his leadership and his effort. I believe I

can speak for both of us when I say that with the current budget situation, the Federal Government cannot afford to create a program requiring a duplicate bureaucracy in a separate agency. If we are going to focus our attention on advanced technology, we should build on an existing program and direct any available resources toward small companies which may have a good idea but cannot get traditional venture financing simply because of their size.

Mr. President, I ask unanimous consent that an article entitled, "SBA, Commerce Square Off on High Tech Financing" that appeared in today's Wall Street Journal be printed in the RECORD at the conclusion of my remarks. I want to add that the headline is a bit misleading since I do not see as a turf battle which necessarily pits one agency against another. I am the ranking member on the Small Business Committee and a senior member of the Commerce Committee. My interest is in finding the best way in which scarce Federal resources can be allocated to do the most good—that is to provide help where it is needed most—not in favoring one agency over another in some sort of tug of war. After studying the issue very closely and extensively as a member of both committees, it is Senator's judgment that it makes the most sense for a program such as to be run by the SBA.

Let me conclude by saying that I believe the issue here is not just about how to most efficiently allocate scarce Federal resources. In the final analysis, the resolution of matter also will speak volumes about how concerned Congress truly is with fueling this Nation's economic engine—America's small businesses.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 9, 1993]

SBA, COMMERCE SQUARE OFF ON HIGH TECH FINANCING

(By Jeanne Saddler)

WASHINGTON.—The Small Business Administration and the Commerce Department are heading for a showdown over which agency will take the lead in developing new high technology companies.

Officials at both agencies want to head up a new government venture-capital program for small and midsize high technology companies that Congress may create as early as this month. The outcome of the fight could heavily determine what size and type of companies get funding through the new program—and at what stage of their development. The fight could also shed light on how much power the SBA will have in the Clinton era.

The Senate Small Business Committee is scheduled to hold hearings on the issue this morning. The Commerce Department would be the winner under the proposed legislation, which the full Senate is scheduled to take up this month and which the House already has passed.

But the SBA and its backers in the Senate argue that the new effort would be almost an

exact duplication of the SBA's small-business investment company program and are pressing to wrap it into the agency's existing effort. Like the SBA program, the new plan calls for venture capital firms to obtain a government license and then add federal funds to their own to boost investments in emerging companies.

The administration still hasn't decided which agency it wants to run the new financing program. A White House official said the administration clearly wants to expand the Commerce Department's role in advancing high technology, but said it is uncertain whether the department will have a role in financing it.

The SBA knows exactly how it stands on the issue. "I feel very strongly the program should be here," says Erskine Bowles, the new SBA administrator who previously headed his own investment banking firm in North Carolina. "You don't have to be a high tech guru to decide which venture capitalists you should deal with. I have more experience dealing with venture capital than anyone in this government."

Mr. Bowles is pitted against Commerce Secretary Ronald Brown, who has embraced the administration's effort to advance critical technologies. Commerce officials say the agency is studying how the program would fit in with its "leadership role" on civilian technology programs.

The SBA's investment-company program was started 35 years ago, after the Russian Sputnik rocket was launched, to fund high technology start-up businesses. But beginning in 1986, many of the investment companies that the program sponsored ran into serious financial trouble. The SBA had to liquidate the assets of 191 of these concerns. Investigators blamed the problems on the recession and poor SBA oversight. Currently about 300 of the investment companies are operating.

The program was overhauled last year to make it focus more on equity investments rather than loans. But Barbara Plantholt, president and chief executive officer of Triad Investors Corp., of Baltimore, Md., says she "gave up on the SBA program last fall." She said her venture-capital firm had considered joining the SBA program, but decided against it because, under the rules, the federal government must be the first investor to get its share of the profit from an investment. She says that rule would force the private partners to wait even longer for a return, a prospect they didn't like. But Ms. Plantholt said versions of the Commerce program she's seen are too complicated.

Senator Jay Rockefeller, one of the main proponents of putting the new investment program in the Commerce Department, says the SBA's program doesn't address the decline in venture capital for early-stage investments in critical technologies. "Only 19% of SBIC funds go to anything within the broadest definition of technology," the West Virginia Democrat says. "Further the SBA focuses * * * only on small businesses. But critical technology isn't found solely in small companies." (Most discussions of the Commerce program have focused on small and midsize companies, however.)

The new program would provide early-stage investment money, or seed capital, for companies in industries such as advanced electronics, new industrial materials and biotechnology, says an aide to the senator. The Senate bill provides \$100 million over a two-year period for the effort, beginning in fiscal year 1995. The SBIC program provided about \$396 million in financing last year, in-

cluding about \$70 million for technology companies.

Venture capitalists have lined up on both sides of the emotional dispute. Patricia Cloherty, president of Patricof & Co., a New York venture-capital fund, who wrote the reforms for the SBA program that Congress later adopted, is particularly incensed. She says the proposed Commerce Department program would favor large businesses and would offer them funding more cheaply, without safeguarding the government's money.

"It gives money away with no strings attached. This is destructive and a sure money-loser," says Ms. Cloherty, who is also vice president-elect of the National Venture Capital Association. She believes two separate government-sponsored venture programs would invite abuse.

With the Senate scheduled to vote soon, several members of the Small Business Committee are lobbying their colleagues to simply broaden the mandate of the SBA's existing program instead of creating a new one. Committee Chairman Dale Bumpers (D., Ark.) and Senator Larry Pressler (R., S.D.) say the Commerce Department program would serve only big companies that could get bank financing. "I'm really upset about this. To build a whole new program is silly; it's an example of what's wrong with government," Sen. Bumpers says.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the hour of 11 a.m. having passed, morning business is closed.

CONGRESSIONAL SPENDING LIMIT AND ELECTION REFORM ACT OF 1993

The PRESIDING OFFICER. The Senate will now resume consideration of S. 3, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 3) entitled the Congressional Spending Limit and Election Reform Act of 1993.

The Senate resumed consideration of the bill.

Pending:

(1) Mitchell/Ford/Boren amendment No. 366, in the nature of a substitute.

(2) McConnell amendment No. 397 (to amendment No. 366), to require disclosure of communications paid with taxpayer funds.

Mr. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOLE. Mr. President, was leaders' time reserved?

The PRESIDING OFFICER. The time is available.

THE LOS ANGELES AND TEXAS MESSAGE

Mr. DOLE. Mr. President, the voters have spoken again, and it is another loud and clear message: No more business as usual in Texas and now in Los Angeles.

On the heels of KAY BAILEY HUTCHISON's landslide win in Texas, Richard Riordan's impressive victory in Los Angeles is the latest proof that people of all parties and all ethnic backgrounds are looking to Republican leadership to help solve our national and urban challenges.

I wish to congratulate Mayor-elect Riordan for his successful campaign and for his message of hope and real change in a city that is crying out for leadership.

Whether it is Los Angeles or Texas, it is clear the American people are fed up with the liberal status quo where the only solution to every problem is to raise taxes, strangle businesses with job-killing mandates and to hope that big Government in Washington somehow comes to the rescue.

Well, those are deadbeat policies, the kind of visionless programs that have sent people to the polls looking for real change, real alternatives, and real mainstream solutions, and that is just what they will be getting in Los Angeles and Texas with their new Republican leaders.

I hope the Clinton administration is tuning into these dramatic messages from the real world. The American people want fresh bipartisan solutions to the challenges confronting America. They do not want the same old stuff they thought they were voting against last year, and they do not want the stuff they have been getting so far from an administration that seems to be out of touch with the mainstream—and Main Street, I might add.

The bottom line is the American people want President Clinton to listen to them. And they also want us to listen to them. They want him and they want us to work together and work with each other, Republicans and independents, and they want him to back off his one-party strategy to raise taxes, avoid real spending cuts, and saddle working America with more big Government mandates.

I also want to congratulate Republican Bill McCampbell for the fine race he ran in a heavily Democrat congressional district in California. The 43 percent who voted for Mr. McCampbell are also part of this loud and clear message to Washington.

Even the Associated Press commented that, "The closeness of the race was a surprise in a district where registered Democrats outnumber Republicans by a ratio of nearly 2 to 1."

So everywhere you go the message is the same: Stop the taxes. Stop the taxes. Stop the taxes. I think we are hearing it. Democrats and Republicans

in the Congress, I hope, are hearing it. We will find out when we start voting around here in 2 or 3 weeks. So let us hope the message is getting through.

Even the Washington Post today recognized the strength of the message from Texas reporting that—

The massive Democrat defeat sent shock waves through Democratic ranks and heightened fears among Democrats that they could lose their Senate majority and their chairmanships next year when 21 Democrats and 13 Republicans face voters.

That is not BOB DOLE talking. That is David Broder, in the Washington Post, which has never been accused of being a Republican newsletter.

Mr. President, the bottom line message coming from Texas, Los Angeles, and northern California is simple. The American people want change, and the Republicans are delivering it.

I will just say in closing, in my visits to California last week and my visits to Texas and to my home State and other States, Montana, Missouri, Florida, and Nevada, I think the message is pretty much the same wherever you go. It is pretty much the same from Democrats and Republicans or Independents. It is pretty much the same from the people out there trying to make work, small business men and women, the people out there working in small business or corporate leaders or whatever it may be, farmers, agriculture, ranchers, wherever you go the message is pretty much the same: Stop taxing us to death and start focusing on spending. Start with the Congress. Start with the executive branch. Stop taxing America every time you want to spend more money.

As pointed out in another column today in the Washington Post, President Clinton talks about cutting spending, and he does not tell you a thing about the \$135 to \$140 billion in new programs he has in this budget package that does not reduce the deficit—maybe a little bit in a couple of years, and it is right back up over \$400 billion by the year 2000.

So, Mr. President, there is still time. I know as I speak Democrats are gathered to try to figure out some way to replace the so-called Btu tax. They may come up with something worse, hopefully not. But at least the Btu tax is dead. No thanks to the Democrats who voted for it in the House but thanks to the Democrats and Republicans on the Senate side. I believe there is a recognition that with the Btu tax in the package it cannot pass. That is just one facet.

We are reminded this morning in a meeting with a number of people who really are tax experts—not this Senator—about all the other bad provisions in this package, tax provisions that are going to impact on international competition, have an impact on small business, and all the other bad points of the package, the worst fea-

ture being the retroactive feature. Taxes start to increase in January 1993, not January 1994. But if this package passed as President Clinton suggests, you would be paying taxes already, though most Americans do not know it, January, February, March, April, May, June, July this year.

Retroactive tax policy is terrible policy. Ninety-nine percent of the American people would wake up next April 15 and find out they owed a lot more in taxes because they did not know about this retroactive tax increase. It even goes back—at least they ought to start with the Democratic administration on January 20. Do not charge the 20 days of former President George Bush. So I hope that this retroactive tax policy will fall by the wayside.

I hope we will stop taking money away from the senior citizens, as pointed out again in one column, take money away from senior citizens who make less than \$25,000, or \$32,000 if married, and get into some other program, earned income tax credit where people are making more. It seems to me that something is wrong.

If we are going to reduce the deficit, that is one thing, but we are not going to reduce the deficit. We are going to raise everybody's taxes and take away Social Security income from seniors to spend more money for somebody's favorite social program.

If we do not understand what they said in Texas, if we do not understand what they said in Los Angeles, and if we do not understand what they said in that very safe Democratic district where the winner won by about 51 percent, then we need somebody to talk to us one on one, maybe some taxpayer in our State, Democratic or Republican, it does not make much difference because they are all saying the same thing: Cut spending first. Cut spending first.

I think some Americans would accept some increase in revenue if, in fact, they thought we were cutting spending first. I defy anybody to look at the President's package and look at the package we are going to consider, anybody in this Chamber, anybody else in the administration to tell us that it is not—I think the first year it is \$12 in tax increases for every \$1 in spending cuts. That is not going to change by changing the Btu tax. There is still going to be \$12 in taxes for every \$1 in spending cuts. Over the 5 years it is \$5 and something in the Senate bill in new taxes for every \$1 in spending cuts. That is not what the American people want. They want us to cut spending first.

I hope we can compromise. I hope the President will call together leadership in both parties and say, OK, we know we can do better; let us see if it can be bipartisan. Let us stop the Democratic gridlock. It is all on that side. They do not consult with us. We are prepared to

help make some tough choices, but first we have to be asked, and we are not going to vote for a package that is loaded with taxes. Once that message is understood, it seems to me, the American people, as they always have in the past, will say, OK, we will have more confidence in Congress, or the administration or whatever it may be.

Keep in mind, the bottom line is jobs and opportunities for Americans, jobs in the private sector, not jobs in the public sector; jobs in the private sector, real jobs for small business. That is where 80 percent of the jobs are. Eighty percent of jobs in America are with small businesses with 20 employees or less. And these big, big taxes on subchapter S corporations and other small businesses are not hitting the rich; they are hitting small businessmen and women who are out there trying to make it work in my State, in Colorado, wherever it may be. They understand taxes because all they do is get to pay more and more and more, and they have had enough. They have tried to tell us. They are going to tell us directly in 1994 if we do not get the message of 1993.

This is the year of the American taxpayer. This is the year the American taxpayer is going to be heard, and if we do not hear the taxpayer this year, it will be loud enough next year, in November 1994. Whether you can hear or not, you will understand the message.

Mr. President, I reserve the remainder of my time.

I suggest the absence of a quorum.
The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRESSIONAL SPENDING LIMIT AND ELECTION REFORM ACT OF 1993

The Senate continued with the consideration of the bill.

Mr. BOREN. Mr. President, I had the privilege of hearing part of the remarks of the distinguished minority leader. I regret I was not able to hear all of them because I was already having some discussions off the floor about the pending matter, the campaign finance reform bill, which is a very important question for the American people as we struggle to find a way to reduce the amount of money that is pouring into campaigns, distorting the political process, over \$600 million in the last election, much of it from special interest groups, with the American people saying to us, we want action, we want action now to stop the money chase in American politics.

We have all been working hard on that. It is my hope, as I said to the dis-

tinguished floor manager, the Senator from Kentucky, on the other side last night, it is my hope we could come up with a time agreement that will allow for the consideration of all the amendments that those on the other side of the aisle want to offer and at the same time be able to bring this matter to a final vote this week or at the latest early next week. This is not a matter where we should have a filibuster or any attempt to keep the majority of the people in this country from working their will. Well over 80 percent of the American people have said they want limits on campaign spending so that we can get the competition in politics back on the basis of which candidate has the best ideas for the future of the country instead of on the basis of which candidate can raise the most money and who can collect more millions of dollars in the PAC's and special interest groups.

So it is an important matter. At the same time we have all been working very, very hard to try to reach a fair, balanced agreement to bring down the budget deficits that are facing this country. Mr. President, as my colleagues on both sides of the aisle know, I have been very much involved in those discussions, both in terms of bipartisan discussions and also with the administration.

I commend the President for saying directly and forthrightly that we have a serious problem. I do not believe that there has been any other President who has done a better job of educating the American people about what the budget deficits will do to this country than has President Clinton. His speech to the joint session earlier this year, in which he spelled out for us what was going to happen, really woke up the American people.

He really woke up the American people. When the American people began to realize that 58 percent of all of the savings in this country are now being consumed by the Federal Government just to pay the interest on the national debt, and if we do not do anything and leave the law exactly unchanged, do not do anything, raise a dollar of taxes, do not cut a dollar in spending, stay with the status quo, by the year 2000 over 100 percent of all of the savings of all Americans will be consumed just to pay the interest on the national debt.

The American people know what that means, and the President did an excellent job of explaining it. It means we will not have any money left, unless we get some from foreign counties, to create jobs or have any private investment in this country.

When you think about the fact that by the year 2000, 25 cents out of every dollar in the Federal budget will be going just to pay the interest payment on the debt, you add it up—42, 44 percent on entitlements, which is Social Security, pensions, Medicare, Medic-

aid, roughly 30 percent on defense, that is 72 percent. Add 25 percent to that, that is 97 percent. We have not had anything yet for the FBI or education and transportation and all the things we think of as the Government of the United States. That cannot be squeezed down as small as 3 percent. You cannot even get up to 100 percent with that.

What happens if you have an emergency, a depression, or a war or something else? There is no room to react to it.

Now what that means, Mr. President—and I think the President of the United States made that clear to the American people—is that the United States of America ceases to be a leading nation in the world. The United States of America ceases to be a world leader. The United States of America will have become so impoverished that, to create a single new job in this country in the private sector, we have to import capital from some other country.

Mr. President, the American people do not want that to happen. The American people are willing to make sacrifices to get this country back on track again. I applaud what the President said when he woke the American people to the reality of what we are facing. He had the courage to tell the American people the truth. We have pretended for too long around here that you can cut the taxes and increase the spending and not do anything to unbalance the budget. Everybody knows that is false. Everybody knows that you cannot reduce your income and increase your outflow and not create a horrible situation for yourself in the long run. We have created it, not for our Government; we have created it for every American family and, most tragically, for those children in the next generation who deserve the right economic opportunity, the same economic opportunities we have had.

Where we begin to have difficulty, Mr. President, is that after those remarks were made, as the budget began to take shape, we had a budget that had serious flaws in it. It came back with more tax increases than it had spending cuts. And it is very important, I think, in terms of getting the American people to sustain support for a deficit reduction package, that we prove to the American people that we can get spending under control.

Mr. President, I do not think that has happened yet. We are on the right track now. We are not there yet. I think the people are willing to pay more taxes if—if they know that everybody is doing their fair share. That is one, that all of the people are doing their fair share. Second, if they know that we have made an honest, good-faith effort, a real effort, not a cosmetic effort, to cut as much spending as we possibly can.

We have a budget package before us right now that still is too heavy on the

tax increase side and too light on the spending cut side. We have to change that. The other thing we have to do is make sure that we constrain the growth of entitlement spending. Entitlements are over 40 percent of the budget. That is where the spending has been increasing the fastest.

Mr. President, we could find ourselves in a situation where if we say entitlements are in essence untouchable, where we would have huge tax increases on the American people, and 3, 4, 5 years down the road turn around and the deficit is still going up, because entitlement spending is growing out of control. That would not be keeping faith with the American people either.

So we have to be willing to step up and make the tough political decisions to get entitlement spending under control. There are some, unfortunately, who have learned that if you say the words "Social Security," or if you say the word "Medicare," that somehow those are magic words that can be used by those who want to frighten people, particularly senior citizens; and they can be hurled like political thunderbolts at an opponent who dares say we have to do the responsible thing financially.

So, for example, when I joined my colleague from Louisiana, Senator JOHNSTON, Senator DANFORTH and Senator COHEN on the other side of the aisle, the four of us tried to do something we thought was valuable for the country; No. 1, to show there are Democrats and Republicans who want to work together, because the American people are so sick and tired of us treating our decisionmaking process up here like a football game: Did the Democrats beat the Republicans? Can the Republicans beat the Democrats?

Well, Mr. President, I can tell you that the American people back home are not sitting on the edge of their chairs holding their breath and worrying about whether the Republicans can beat the Democrats or the Democrats can beat the Republicans. They are holding their breath worrying about whether or not as Americans—as Americans—we can get together and solve the problems of this country.

It is high time we put aside this childish, partisan game playing and sit down and work as Americans to come up with a plan that will do the job. Quit worrying about who can score more political points.

To be truthful about it, what kept us from working together really are two things: There are some on our side of the aisle and some on the other side of the aisle as well that, as I say, absolutely treat as a sacred cow the word "entitlements." As I say, there is no reason for that.

Let us talk about Medicare. Nobody wants to cut the Medicare benefits to the poor elderly, or the middle-income

elderly, who cannot afford to pay any more than they are. We do not want to make them choose between going to the doctor and eating, for example, or paying the electric bill. Nobody wants to do that. But we have people in this country right now earning \$25,000, \$30,000 a year, working, trying to educate their children, trying desperately to pay a house payment to keep a roof over their heads, and we are collecting taxes from those people to subsidize the Medicare premiums up to \$1,500 a year for wealthy elderly who have incomes of \$200,000 or more a year.

Mr. President, if the American people knew that, do you think they would rise up? If we said that is not fair, that we think there should be some adjustments in Medicare, we should stop subsidizing the wealthy just because they are at a certain age and put the burden on the backs of middle-income people to do it? No, I do not think so. But there are some who simply cannot bring themselves to even take a reasonable action in the name of justice and fairness and helping middle-income people, because it is called Medicare.

Let us strip through the nonsense and tell the American people the truth about that. Then there are those on the other side of the aisle, I must say, and a few on our side, who will not vote for anything that has any taxes in it.

We all understand that you cannot balance the budget ultimately and get these deficits under control without doing both—increasing your income and cutting your spending and your outflow. Everybody that has looked at the budget for a long time knows the truth of that. But, politically, it is so easy to sit on the sidelines and say: Let us make responsible Members of Congress take all of the burden for voting for any revenues whatsoever, because then we can stand on the sideline and not be a party to solving the Nation's problems, but we are in a great position to criticize. What great politics that is, to stand out on the sidelines and criticize and say those are the people that raised your taxes. Vote them out in the next election. That is not responsible either.

I believe the vast majority of the American people understand that neither path is responsible, and what the American people want is a fair and balanced package that will get the deficit down.

Yes, it will involve some sacrifice on their part, principally on the basis of the ability to pay, and the tax package once you take the Btu tax out of it, the Btu tax which does fall principally on lower-income and middle-income people, once you take the Btu tax out of it you are then in a position where you have a fairer balance struck and about 75 or 80 percent of the new revenues comes from those of upper-income groups.

So, Mr. President, I hope we can have bipartisanship. I hope those on the

other side of the aisle will move off the position as Senator COHEN and Senator DANFORTH did, that we cannot even look at anything that includes a dollar of revenues in it. That is not a responsible position. I hope we will continue to show willingness on our side as many indicated to look at entitlements so we assure the American people we are really going to get spending under control. I hope we can move together to get agreement.

Great progress is being made. I am very encouraged by what has happened over the last several days, over that period of time since the House of Representatives passed the earlier version of the administration's budget reconciliation bill. I am encouraged most of all by the fact that the President himself has announced certain broad principles that will govern his attitude toward any changes made in this bill in the Senate.

I find myself in strong agreement with what the President has said. He has said this: "I am willing to consider lowering the amount of taxes in this package and increasing the amount of spending cuts in this package."

That is certainly good news. If we are going to get to the point where we get more spending cuts in this package than we have tax increases we have to move about \$50 billion in either direction, roughly, down on taxes and up on spending cuts.

That makes a tremendous difference, I believe, in terms of whether the American people will accept this package. It makes a tremendous difference in terms of their attitude. I can see why, and I think they are right—I think they are absolutely right. I think we ought to show the American people that we are serious about cutting the spending if we are going to ask for their support on increasing taxes and all get together as Americans and get this job done.

I am also very encouraged by the reports that the Btu tax is now dead. It should be.

Mr. President, I have been accused of taking a position on the Btu tax, because I happen to be from the State of Oklahoma. If I had taken the same position and had I been from the State of New York or Massachusetts or Florida, or someplace else where there is not oil and gas production, maybe there would not be that confusion. But I am from where I am. I am proud of where I am from. I represent a lot of good patriotic people who care about the future of this country.

Let me tell you, the evil with the Btu tax was not that it taxed big oil. I have been hearing that. That is the greatest myth that ever was. The collection point of that tax was already changed. It was not going to be collected at the wellhead. It was not going to be collected at the pipeline from the utility. It was going to be collected from the

consumer with a line right on the utility bill, whether it is home heating oil, or the electric bill, or the natural gas bill, whether it is at your home, whether it is at your flower shop, whether it is at your insurance agency, or whether it is at your factory trying to produce something to sell, perhaps trying to produce something to sell in the world marketplace. That is where you paid the bill.

What did that do? That increased the price of every product produced in this country. And according to Carla Hills and other experts there is no way you can have a thermal unit tax and have it rebated for export. That meant it is like fighting with one hand tied behind you. We are having a hard enough time selling products in the world marketplace. What we do with the Btu tax is pile more burdens on the backs of those trying to sell their products in the world marketplace. Let us make it tougher. Those producers in Germany, Japan, France, Korea, and China—we can go up and down the list—are already beating us out of part of the market.

So what do we do for American industry and American jobs? Let us make it harder. Let us put another burden on. Let us up the price of their products. And the studies indicated it was going to cost 300,000 jobs at a minimum in this country. That is why some of us had a concern about that. Not only that, it was indexed to go up automatically every year. When you raise the price of energy you raise the cost of living. You say if the cost of living goes up you raise the energy tax next year. Then the cost of living goes up. That raises it next year. It was a monstrosity. We started to exempt other favorite industries. So we exempted Swiss cheese. We had the most shackled legislation when it came over here than you could possibly imagine.

So, I think that that is the problem. You had exemption for aluminum. You have not exempted glass yet. Both of them make containers for products. They are disadvantaged. So we have a real problem here in terms of making that work. It will not work, and I am elated there has been now an acknowledgement of that and it does appear, although I suppose it is not yet officially done. We will be looking at other forms of revenue that will be fairer, that will hurt the American people less, reduce the number of jobs in this country less than the Btu tax.

So we are making great progress. We are getting closer to the goal line but are not quite yet there. The key thing now is the people have asked me is it fair? What do you think about the new proposal by Senator BREAU and others? I think it is a big improvement over what he had. They are saying, well, it is \$40 billion in taxes. Is that not fair? My answer, Mr. President, has to be that depends on how much we

are going to cut spending, because I think that is what the American people are saying to us. We will accept some revenues, but we want to see you cut the spending first. We will do our part if you do yours. I think we have to finish it, finish the job, close the loop by working to go ahead and to get the spending cuts as well and then we can have a package that will really pass muster.

But I do want to express my encouragement to the President, my appreciation to the President, for the fact that the principles which he has announced over the last 3 days are very much in keeping with these objectives, and it is my hope that having laid down those statements to the American people publicly, that those on the other side of the aisle will also take this opportunity, that they will take up the invitation of the President to come forward and gather around the table. But we can only have that happen if like those of us who are saying to some of our colleagues, you have to put entitlements on the table, there cannot be any sacred cows, those on the other side must give up their opportunity just to politic by standing as critics on the sidewalk, criticizing anybody for revenues. They have to be willing to be responsible parties as well and want to do their part.

The President extended his hand. My hope is that invitation will be accepted and we will be able to get together and work in a bipartisan fashion.

Mr. President, I see my colleague from Kentucky is now on the floor. I do not want to detain the Senate any further. But I did, having heard the words of the distinguished minority leader, want to indicate my optimism that we are moving in the right direction. We are moving toward less taxes and more spending cuts.

We do seem to be getting rid of the Btu tax that was really so damaging to Americans in all 50 States of this country, because it affected their future opportunity for jobs. I hope that that progress will not remain frozen in place. I hope if we move from our end zone down to the other 20 we are almost to the goal line in terms of putting together something that will pass muster with the American people. I hope we do not stop short of the goal line. I hope we do go on in, and I hope we can ultimately do it in a bipartisan fashion if that is at all possible.

Mr. President, I want to yield the floor. The Senator from Kentucky laid down an amendment on this bill last night, and the indication was he wished to commence his discussion of that amendment this morning.

So I yield the floor so that he might proceed immediately to do that.

The PRESIDING OFFICER. The Senator from Kentucky [Mr. McConnell] is recognized.

AMENDMENT NO. 397 TO AMENDMENT NO. 366

Mr. McCONNELL. Mr. President, last night I laid down an amendment and I want to take this opportunity to explain to our colleagues what the amendment is about.

Mr. President, in the spirit of "if you cannot beat them join them," and "one good turn deserves another," I sent the amendment to the desk last evening. The bill before the Senate contains a political scarlet letter to be worn by those candidates who chose to exercise their first amendment rights to refuse taxpayer funding, which you have a right to do under the first amendment, and to speak as much as you want to, which you have a right to do under the first amendment.

Those candidates who do not agree to comply with the speech limits would be forced in the underlying bill to run a disclaimer in all of their advertising that states as follows: This candidate has not agreed to voluntary spending limits.

The candidate who chooses to exercise his or her rights under the first amendment to speak as much as they chose, a right guaranteed by the first amendment since the founding of the country, has to put this pejorative disclaimer in their ad. Clearly the intent and effect of such disclaimer is to punish those who wish to exercise a right guaranteed to each candidate under the first amendment.

As Robert Peck, legislative counsel for the American Civil Liberties Union, asserted in testimony before the Senate Rules Committee on May 19, Mr. Peck said as follows:

The broadcast disclaimer requirement intrudes on free speech rights. It is sustained by no compelling Government interest and violates the principle the first amendment encompasses—

And now listen to this—

The first amendment encompasses the decision of both what to say and what not to say, and that principle has been reinforced as recently as 1988 in the case of *Riley v. National Federation of the Blind*.

I repeat, Mr. President: The first amendment guarantees to each of us the right to speak or not to speak, the right to say or not to say. And this disclaimer clearly violates the spirit and direct letter actually of the first amendment.

So, Mr. President, my amendment, the amendment I have at the desk, is offered in the same spirit of those who authored the current disclaimer in the bill. This amendment would add a new disclaimer to be required in all advertising paid for by the taxpayer-funded communications vouchers. This disclaimer would run at the end of all taxpayer-funded ads and would state very simply: "The preceding political advertisement was paid for with taxpayer funds."

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. McCONNELL. Yes; I yield to the Senator from Utah.

The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. I appreciate the Senator's explanation of the current disclaimer in the bill and would ask for further clarification. Would it be possible for a candidate who is not using taxpayer funds to add any language to that disclaimer; that is to say, "This candidate has not agreed to a voluntary spending limit because he does not wish to use taxpayers funds"? Would the Senator clarify whether that addition would be acceptable?

Mr. McCONNELL. I would say to my friend from Utah, the chances are that every candidate who chose to exercise his first amendment rights would have to devote a certain portion of what is likely to be a 30-second commercial—because that is basically the tool of television advertising both for commercial advertisers and for candidates—would virtually have to devote a certain portion of that ad to try to put the disclaimer in context. Otherwise, the effectiveness of the candidate's ad would be completely destroyed by the mandated language required at the end of the commercial.

So my friend raises a very good point. Clearly, in addition to the pejorative disclaimer, as a practical matter, every candidate would have to devote some additional time in a very limited period of 30 seconds to try to explain away this Government-mandated scarlet letter stamped in the commercial of every candidate who chose to exercise his first amendment rights.

Mr. BENNETT. Could the opponent of someone who did that then claim, "No, you can't add anything to the wording of the disclaimer. The disclaimer must be exactly as it is worded in the law and you are forbidden from explaining why this is a stupid disclaimer"?

Would the Senator comment on that possibility?

Mr. McCONNELL. I would say to my friend from Utah that there is a good chance the courts would be replete with cases in which the courts are sort of attempting to sort out the free speech elements of this and it could well make for that kind of litigation, that kind of controversy, all because the underlying bill seeks to mandate what a candidate, who is exercising his first amendment rights, has to say in his own commercial.

Mr. BENNETT. Mr. President, that is one of the reasons I intend to vote against the bill, because I think it will fill the courts with that kind of litigation. We should save the court the problem by simply not passing it in the first place.

I thank my colleague.

Mr. McCONNELL. I thank my friend from Utah for raising a very important point.

Admittedly, I am offering this amendment somewhat tongue in cheek, because I do not think these kinds of pejorative disclaimers are good ideas. But, nevertheless, if we are going to start requiring this kind of disclaimer ads, it seems to me it would be equally justified to require a candidate who chose to accept taxpayer funds to have the following disclaimer in his ad: "The preceding political advertisement was paid for with taxpayer funds."

I think the people of America would like to know that. I think that is useful information, I say to my friend from Utah, useful information to the body politic to know that a candidate chose to not exercise his free speech rights to take tax dollars from the Government. I think they would like to know that. They might think that that is truth in advertising, if you will.

Mr. BENNETT. Will the Senator yield?

Mr. MCCONNELL. I yield to the Senator.

Mr. BENNETT. May I ask a further clarification from the Senator from Kentucky, since he understands this legislation far better than I?

There are times, at least in my race, when funds were spent, vital funds were spent for things other than public advertising.

Let me explain. In the State of Utah, we have a convention system that precedes the primary. You cannot get on the primary ballots if you have not been approved by the convention of your party. And the convention in Utah requires that there be only two people on the primary ballots. So if, as was the case in our race, four people filed for the Senate, the convention eliminated two of those. And in the beginning polls prior to the convention, this Senator finished fourth out of four among those polls.

I have said on the floor before to people who thought I had some kind of advantage, the first poll that was taken in the State of Utah showed that I had a 3-percent name recognition, a poll that had a 4-percent margin of error. So there was a possibility that I was minus 1 in the name recognition circumstance statistically.

The greatest amount of money that I spent prior to the convention was spent meeting with delegates who were not swayed by television ads. And my greatest expenditure was for meals. With my name recognition so low and people so convinced that I was not going to make it, the only way I could get them to listen to me was to buy them a free lunch. And I had a series of lunches and dinners across the State for these delegates and expended my funds in that regard.

Now, I wonder if I would be required under the law to say I am paying for these lunches out of my own pocket and I have not used taxpayers' dollars or, under the Senator's amendment, if

I did use taxpayers' dollars for this, would I be required to say "Your lunch is being paid for by the taxpayer?" Because that was the only form of advertising that was effective, and I think the record proves that it was effective because I moved from fourth place to second, survived the convention, and thereby obtained a place on the primary ballot.

Now this may sound somewhat facetious, but this is reality—not Washington, this is reality—that in my State at least, money had to be spent on lunches and dinners rather than television advertising because that was the form of advertising.

Would the Senator please clarify that?

Mr. MCCONNELL. I would say to my friend from Utah that under the underlying bill this pejorative disclaimer is only required in radio and television ads. But it seems to me to be entirely reasonable that the Senate, in its wisdom, might conclude that such a disclaimer would be required for all expenditures in a campaign and maybe the Senate might want to require that either before or after lunch you inform the people with whom you have had lunch that you have either not agreed to limit your spending or you have picked up the tab at taxpayers' expense. It is not any more absurd, it seems to me—and this is the point the Senator is raising, I guess—to extend these kinds of disclaimers to all kinds of political activity, not just to radio and television.

Mr. BENNETT. Mr. President, that is exactly the point I am making. And I am grateful to the Senator for yielding to me to allow me to make it.

Because the American people and the American political system have demonstrated that we are tremendously inventive. We have great intellectual resources from which to draw upon when faced with Government regulation, and we come up with all kinds of ways to get around them. And it may well be one of the ways to get around what some would consider to be onerous requirements to this bill would be to campaign in on other ways that simply do not use radio and television.

I have other comments I would like to make on this score, Mr. President, but I will not intrude further on the Senator and wait until such time as I might obtain the floor.

I thank my friend for yielding.

Mr. MCCONNELL. I thank my friend from Utah for raising a very important point.

I might say, with regard to the amendment that I have offered, that we are, under current procedure, required to place an almost identical disclaimer on all taxpayer-funded franked mass mailings today. Obviously, the Senate, in its wisdom, thought it was important to put that kind of disclosure on franked mass mailings that we

make today, that it was paid for with taxpayer money.

So all the pending McConnell amendment says is that the assumption is, Mr. President, that you will have two kinds of candidates if this bill were to become law: One set of candidates who agreed to restrain their speech and have the taxpayers fund their campaigns, and another set of candidates who, confronted with this choice, chose to express themselves without limit and to not use taxpayers' funding.

Under the bill, only one kind of candidate has to make a pejorative disclaimer. There has been a lot said about leveling the playing field around here—a lot said about that—even though the Supreme Court, in the Buckley case, said you cannot do that in terms of speech; you cannot dole it out in equal amounts. Nevertheless, there has been a lot said around here about leveling the playing field.

So it seems to me what is good for the goose is good for the gander. The candidate who accepts taxpayer funding and agrees to limit his or her speech ought to have to disclose that they have agreed to spend taxpayer money.

It is quite simple, quite factual, and I think quite necessary to the voter, because the voter might want to weigh this. In a race between a candidate who agreed to shut up and take tax dollars and a candidate who agreed to speak as much as he or she wanted to and declined tax dollars, the voter might want to know that on both sides.

So if the candidate who chooses not to take taxpayers' dollars and to shut up has to put in his or her ad, "This candidate has not agreed to voluntary spending limits," which makes that candidate look as if they have done something improper here by engaging in excessive speech—they are required to put this pejorative ad in there, as my friend from Utah has pointed out, which will clearly have to be explained in the balance of the ad, further encroaching on their ability to speak freely—then at least, in order to level the playing field, the candidate who chooses to shut up and take the dough ought to be required to put: "This preceding political advertising was paid for with taxpayer funds," a truthful observation.

Mr. BENNETT. Will the Senator yield?

Mr. MCCONNELL. I yield to the Senator from Utah.

Mr. BENNETT. We have heard a lot about truth in advertising on this floor over the years, and I commend the Senator in moving in the direction of truth in advertising. It reminds me a little of a talk show host back in my State, who would go after other public figures with great vigor on his own and dig into their past and show up all kinds of terrible things, at least in his view. And then he woke up one morning, to

his horror, to find in the major newspaper in Salt Lake City a complete, documented review of his own past. He was a convicted felon; he had walked out on many debts; and all of the rest of this.

That is not relevant to this point, except his response. He did not put it in these words, but I did. He said, in an outraged response: How dare they tell the truth about me? They are smearing me. How dare they tell the truth about my past?

People who would oppose the Senator's amendment would oppose it on the same basis. How dare the Government require me to tell the truth about myself? That is why I commend the Senator for his amendment.

Mr. McCONNELL. I thank my friend from Utah.

Mr. President, it is quite simple. What the McConnell amendment is about is leveling the playing field so equally arguably pejorative disclaimers are required both of candidates who choose to shut up and take the taxpayer money, and candidates who choose to finance their campaigns privately and speak as much as the first amendment allows.

I have heard—I hope this is not the case—that my amendment may be second degree. I would like to repeat for our colleagues in the Senate the observation I made last night: Republicans have not second-degreed a single Democratic amendment. Republicans have not even made a motion to table any Democratic amendments. The only motions to table I have made are, once we were second degree, I made a motion to table the second-degree.

We gave the other side—and will continue, by the way, for additional Democratic amendments, to give the other side—up and down votes. We think everybody ought to have a fair opportunity to get clear votes on their amendments. I hope we will have a chance on this amendment at the desk to get a clear up and down vote.

All we are asking for here is fairness. Even the minority is entitled to that. While the rules of the Senate permit a second-degree, it seems to me that we want to give everybody an equal opportunity to offer their amendments, to have clear votes so Senators can go on record so our voters will know how we stand on these important issues. We have been on this bill for some time, but this is a very important bill. What campaign finance reform is about is the rules of the game in our democracy; how you get from out there to up here. It is fraught with first amendment implications. It has enormous impact on people's ability to participate in the political process. And there are some—some even here in this body—who would seek to push as many private people out of the electoral process as possible, and to substitute in lieu thereof taxpayer funds, to kind of

presumably drop some hermetically sealed container over the Capitol and insulate us from all of those folks out there who, under existing law, have an opportunity to participate in our campaigns directly through limited and fully disclosed contributions.

I am not entirely happy with the current system. We have offered changes year in and year out. Unfortunately, they have not been adopted. And a comprehensive alternative to this underlying bill will be offered by this side before the debate is over.

But this effort to wall us off from our constituents, it seems to me, is particularly ill advised.

In any event, the amendment before us would level the playing field. It would provide a disclaimer for those who choose to limit their speech and accept tax dollars, just like a disclaimer is required of those who choose not to.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah [Mr. BENNETT] is recognized.

Mr. BENNETT. Mr. President, I rise not only to repeat my commendation to the Senator from Kentucky for his amendment, but to make some remarks about the underlying bill and the philosophy behind it, and to make it clear why I will oppose this bill.

It is easy to say I am opposed to the bill because I am opposed to Federal funding of campaigns. That is an easy campaign statement to make. As I go out to meet with the people and they raise the issue of campaign reform, they are all in favor of it.

They say: "Do you favor reforming the system?"

And I say "Yes."

Then they say: "Are you going to vote for the campaign reform bill?"

And I say "No," because I am opposed to Federal funding.

Inevitably, the reaction I get is: Well, of course we are opposed to Federal funding of campaigns.

People who say they think campaigns definitely are overspending react immediately in the negative as soon as they are told that the proposed remedy for the overspending, in a time of budget deficits and runaway national debt, is to take public funds and put them into campaigns.

But I want to expand a little further on some of the points I made in the colloquy with the Senator from Kentucky with respect to alternative ways of campaigning.

If I may be a little autobiographical, I will refer to examples out of my own campaign.

The Senator from Kentucky made a reference to leveling the playing field. My opponent in the primary spent \$6 million of his own money. He lost the primary, and thus upset the conventional wisdom in this body that says whoever spends the most money auto-

matically wins. But in one of the joint appearances that we were at, he made a very interesting statement in the context of this leveling the playing field.

Someone said to him, the moderator in the debate, "It is almost obscene that you are spending so much of your own money."

He looked at me—this was a complimentary kind of thing, so naturally I will repeat it—he looked at me and said, "Bob Bennett has been blessed with the ability to speak. I wish I had that blessing, but I don't. I'm a poor public speaker, so I have to use the resources that I have to try to make up the difference." And the resources that he had were \$6 million. Fortunately, from my point of view, they did not make up the difference or whatever it was that caused the election to go the way it went, but the point is a significant one.

He had certain handicaps, he had certain assets, and the playing field, as the Supreme Court has ruled, will never be level because all of us have certain advantages and all of us have certain handicaps. In a political campaign, you do your best to accentuate the positive and eliminate the negative, as the old song says. And to say we are going to level the playing field by removing the possibility for the positive for this group but stressing the positives for the other group, is, I think, clearly unconstitutional. I am convinced if this bill were to pass, the Supreme Court would agree and it would be found unconstitutional.

If I could return to one of the subjects that I was discussing earlier with the Senator from Kentucky, and that is the question of alternative ways of campaigning. Sometimes, as we sit in this body, we forget that this body is unique in the world in that it is made up of two Senators from every State and that every State is different.

(Mrs. BOXER assumed the chair.)

Mr. BENNETT. Madam President, recently this year, the Republican Senators retired to the State of Delaware for a retreat, and it hit me, by comparison to the State of Utah, how nice it would be to campaign in Delaware where there are less than a million voters. How easy that would be with the kinds of techniques that we developed in Utah to try to reach voters on a retail basis. It is retail politics. The voters in Utah get mad at you if you do not come to their town regularly, if you do not shake their hand. They feel offended if they have not personally met the candidate. We have about 2 million population. To go to Delaware where there is well under a million sounded like nirvana to me.

I suggest that the Senators who run from Delaware have developed methods of meeting their constituency and winning their votes that have less to do with the kinds of things we are talking

in this bill, than, for example, the Senator from California. I noticed the Senator from California has taken the chair. I have lived in California, and I recognize that to try to campaign the way I campaigned in Utah in California would be absurd. The Senator from California would exhaust herself in about 3 weeks trying to meet every single voter in California. She is required to wage the campaign in the media.

So here is a bill that is addressing the media, that is addressing one particular method of advertising, that is applicable to one group of states that totally ignores reality in States like mine.

If we are talking about true campaign reform, we should talk about the whole question of all of the States and not just a few. But here in the Washington atmosphere, we get carried away with the idea that everything is like the big states that we see here, every newspaper is like the Washington Post, every advertisement has to be drawn as if it were going to be run on CBS and, therefore, we will make those kinds of regulations in our legislation. It simply is not realistic. It is not addressing the root case of the problem.

Mr. MCCONNELL. Will the Senator yield?

Mr. BENNETT. I will be glad to yield.

Mr. MCCONNELL. Madam President, I listened with considerable interest to the Senator's observations about his opponent, who spent in the primary substantial amounts of his own wealth, which he is entitled to do under the Supreme Court decision, and this whole issue of equalizing resources.

The Supreme Court addressed that very issue in the Buckley case—that very issue. The Supreme Court said:

The interest in equalizing the financial resources of candidates competing for Federal office is no more convincing a justification for restricting the scope of Federal election campaigns. Given the limitation on the size of outside contributions, the financial resources available to a candidate's campaign, like the number of volunteers recruited, will normally vary with the size and intensity of the candidate's support. There is nothing invidious, improper, or unhealthy in permitting such funds to be spent to carry the candidate's message to the electorate. Moreover, the equalization of permissible campaign expenditures might serve not to equalize the opportunities of all candidates but to handicap a candidate who lacks substantial name recognition or exposure of his views before the start of the campaign.

Or quoting the Senator quoting his opponent, a candidate who was not a particularly good speaker, denying him or her another avenue to appeal to the voters.

I think yesterday's mayoral race in Los Angeles is a perfect example. Obviously, a candidate accused of being a Republican running for mayor of Los Angeles stuck with a completely equal expenditure limitation would have had

no chance at that constituency, overwhelmingly Democratic, typically voting Democratic, confronted with an alternative between a candidate who is pejoratively labeled a Republican, a very smart thing for a Democrat opponent to do in an overwhelmingly Democratic district, if the financial resources are absolutely equal. I ask my friend from Utah, who is going to win that race?

Mr. BENNETT. The Senator from Kentucky has raised a very worthwhile and proper question. Your question answers itself with respect to the mayoralty race in Los Angeles, but I refer the Senator to the senatorial race in Los Angeles.

Again, this may be a little tender with the Senator from California in the chair, but her Republican opponent spent less winning the primary in California than my Republican opponent spent in Utah to come out of the convention. The reason he was able to prevail in the primary is because he was a television personality, already known to virtually every television watcher in the place. So that someone like my Utah opponent, for example, had he lived in California, would have started out at an enormous disadvantage against someone with that kind of name recognition.

Mr. MCCONNELL. I take the example, I say to my friend, of even a relatively well-known, let us say, incumbent running against a sitting Governor on television three or four times a week doing his or her job, with a sort of artificial limitation on what can be raised and spent; in other words, what can be said, how much speech can be engaged in.

In fact, what the Court is driving at in the Buckley case is there is no way to level the playing field, and even if there were a way of leveling the playing field, you cannot do it under the first amendment; that you simply cannot say, when it comes to the first amendment, candidate A and candidate B, you can only speak so much, do not say too much, now. Doling out speech in equal amounts is constitutionally impermissible. And the Senator is pointing out that even if it were, it produces absurd results.

Mr. BENNETT. That is correct. If we really are serious about leveling the playing field, why do we not just call off the elections, put the names in a box and draw them out?

Mr. MCCONNELL. Leave it to chance.

Mr. BENNETT. Leave it completely to chance. That is the complete level playing field if that is what we are searching for.

There is another way around the requirements of this bill to upset the playing field on behalf of the individual who is wealthy, and it is simply to do a little advance planning.

Let us say that I wanted to be a Senator. I knew when the race was going

to come up, and I have very deep pockets. I could start to run advertisements about my great community involvement. I am not a declared candidate, so these are free speech kinds of advertisements, and the race is 2 years away. I decide to give some money to United Way. I not only give the money, but I buy advertisements telling everybody that I am giving the money to United Way.

And suppose I decide I want an award from—pick the charity. I give the charity \$500,000 with the understanding that I will get the award. When I get the award, I make sure that it is properly publicized. I buy name recognition prior to announcing. Now that is a strategy of which I think most Members of this body and the other body in the Capitol are well aware.

To be biographical again, my opponent in the general election, a sitting Congressman, sent out franked mail, newsletters not only to members of his own district but to people who lived beyond the boundaries of his congressional district.

We challenged him on that saying it was inappropriate for a Congressman to be sending franked mail to people who did not live in his district. And I even went so far as to suggest that the reason he was doing that was in contemplation of his race for the Senate. And he made the very clear point, he said, "No, I did not mail any newsletters out, after I had announced for the Senate."

Well, I happen to have known that he had made up his mind to run for the Senate months prior to his announcement. The reason I know that is because he told me. He and I have been friends for 25 years. It was in his office, in the House office building, when he sat down and showed me the poll showing that he would win the Senate seat from Utah if he ran, and that he clearly made up his mind to run. He was sufficiently gracious as to have the pages dealing with my name recognition photocopied and given to me for my information, and I was still at the 3 percent level. So he was fairly confident in feeling that he could share that with me.

But he, in anticipation of the time when the opportunity to franked mail would be cut off, mailed it in advance of his announcement. And if there is anyone in this body who thinks that same process will not apply in campaigns with people holding off their announcements to the last possible date and spending money that does not have to be disclosed or disclaimed prior to that date, that individual is being extremely naive.

Mr. MCCONNELL. Will the Senator yield for further observation.

Mr. BENNETT. Yes.

Mr. MCCONNELL. Madam President, there was an interesting article by Prof. Larry Sabato from the University

of Virginia in Roll Call very recently about some of the ironies the Senator from Utah is raising in terms of whether spending limits can ever work.

Professor Sabato points out, "Once again, all the bad reform ideas that sound good are being dressed up and put on legislative display. Spending limits are foremost among them. The first amendment," he points out, "makes it impossible to stop the flow of political money. When you dam it in one place, it merely cuts another channel and begins moving freely underground undisclosed," such as things done before the campaign begins that the Senator points out.

Artificial spending limits will inevitably increase constitutionally unlimited independent expenditures as well as nonparty soft money that often has a hidden partisan agenda.

In fact, there are virtually no scholars anywhere in America who think this can work. Spending limits are like putting a rock on Jell-O. You can imagine what happens when you put a rock on Jell-O; it sort of oozes out to the side. We have seen that in the Presidential system. And the Senator from Utah is very astutely pointing out a variety of different ways in which any kind of system could be defeated and will be defeated.

This will spawn a whole industry of ways around, as it has in the Presidential system, where, by the way, spending has gone up exponentially. In the one race where we have spending limits and public finance, spending has gone out of sight, as ingenious lawyers and candidates search for the constitutionally permissible ways to escape. And so I think the Senator is making some very good points about how this can never work.

One other observation I would make, if the Senator will yield.

Mr. BENNETT. I will be happy to yield.

Mr. MCCONNELL. The ACLU, in testifying on the constitutionality of the disclaimer provision that we were discussing earlier, suggested maybe an alternative disclaimer to the one currently in the underlying bill for the noncomplying candidate. They suggested something like this: The candidate has chosen not to sell his first amendment rights to the Government in order to be permitted to spend tax dollars.

That has a certain ring to it, I would say. Let me repeat: The candidate who chooses not to shut up and not to take taxpayers' dollars would have this kind of disclaimer. The candidate has chosen not to sell his first amendment rights to the Government in order to be permitted to spend tax dollars—a much better disclaimer, I would suggest to my friend from Utah, and I would be interested in his observations.

Mr. BENNETT. I thank the Senator for that contribution.

I would be delighted to put that kind of disclaimer in an ad if that came along. Of course, the logical thing to do is to have no disclaimer at all, which is the position that I know the Senator from Kentucky is taking, and it is the position that I am taking.

Let me move for just a moment, Madam President, to another issue with relation to this bill related to the earlier comments that I have made, which is that there are other ways of campaigning besides radio and television. And yet under this bill we are going to penalize the operators of radio and television stations by requiring them to sell time at less than its market value.

Now, stop and think about this for a moment and again go back to reality.

In the hot moments of a political campaign, one of the most precious things you can own is a position on a particular program. You buy that position. You call the station and you say, "I wish to be on the 6 o'clock news." The station says, "There aren't any availabilities left on the 6 o'clock news."

Well, under the present law, if your opponent is on the 6 o'clock news, you can demand equal access and require them to bump some advertisement on the 6 o'clock news. They are not happy, but they do it.

All right, here you are in a hot race. It is November. Let us say it is a year like last year. Again, go back to the State of Utah. I hate to keep always going back to Utah, but it is the State I know most about.

We had the President on the ballot. We had the Governor on the ballot. We had a senatorial race on the ballot. And, of course, we had Congress—one of the few times in Utah where you have all of those going. We had more open seats on the ballot than at any time since statehood. It was a hot, hot time. It was almost impossible to get spots on television in that circumstance because the Democratic candidate for attorney general had a spot, the Democratic candidate for Governor, the Republican candidate for Lieutenant Governor, and so on, all down the line.

Naturally, that is the time when there is such short inventory, where the television people are going to make some money. This bill will come along and say at this time of shortage, at this time when your inventory is in the highest possible demand, we are going to say you cannot charge market rates for that time. You have to virtually give it away.

I wonder, if we are talking about Supreme Court challenges, if this could not be raised as an economic taking, if the Federal Government is saying we are taking the value of that commercial time and you should be compensated for it. You have to sell it at a lower rate to the candidate.

Maybe the station manager comes back and says, "I'm going to sue the Federal Government for the economic taking as they took the economic value of that from me."

Mr. MCCONNELL. Will the Senator yield on that point.

Mr. BENNETT. I will be happy to yield.

Mr. MCCONNELL. I think the Senator raises a very good point. I have suggested to the broadcasters that they may want to join us; if this monstrosity ever were to become law, I will be the plaintiff in a case testing the constitutionality of it. My assumption is there will be a number of coplaintiffs. I certainly think the broadcasters may well have a good case to make that it is an uncompensated taking.

As the Senator knows, there is a modest discount under current law, back to 1971, which specifies that 45 days before the primary and 60 days before the general election, stations must sell us time at the lowest unit rate available for any other customer. I think the purpose of the current law obviously is to see that candidates are not in effect ripped off because they are in an unusual advertising situation; almost no other advertiser in America has to make a sale on 1 day.

So their purchases tend to be stretched out. So it was the thought I think in the 1971 law to try to keep candidates at least from being ripped off because they are in an extremely vulnerable position.

To the extent however that we mandate moving beyond that, particularly if we do it excessively, it seems to me by friend from Utah is right on the mark. As to the broadcasters, are we going to make them give it away simply because they have a license? And in a situation such as my friend has described in Utah in 1992 when there were lots of candidates, should the broadcasters because of the situation which occurred—apparently very rarely have they been denied—in effect be denied an opportunity to sell their time profitably? It raises a very, very interesting point.

I think the Senator has essentially outlined the kind of litigation that is likely to come from the broadcasters if this horrible bill were to become law.

Mr. BENNETT. The next view would be the use of other kinds of advertising. Why are newspapers exempt from being required to provide special rates to politicians and why are newspapers exempt from the pejorative references? Why should we be able to buy an ad in the newspaper without having to say, gee, I am not playing by the rules. There is this terrible disclaimer in here that says we have to agree to the spending limits. It is a different message in the newspapers than there is in radio and television. We are talking about a level playing field. The bill should require the same kind of disclaimer in newspapers and so on.

I am back to the comment that I made earlier in my colloquy with the Senator from Kentucky when I was talking about the disclaimer at dinner and at lunch. It demonstrates the kind of absurdities that the idea behind this bill will take you to if you really do try to go on and plug every loophole.

The Senator from Kentucky pointed out very accurately, in my view, that we do see the new channel being cuddled if the political money finds its way. I would like to give this bit of historical perspective to this debate.

I was in this town not as an elected official but as a practitioner of various political activities when the present system was created. I remember very clearly the debate that went on with respect to the present system. I remember the abuses that were talked about in this Chamber with respect to the then system. Clement Stone had given Richard Nixon \$2 million for his Presidential campaign and the words "obscene" and "absurd" and "improper" were used in this Chamber.

I do not remember the young man's first name, but a Mr. Mott, who was heir to a General Motors fortune, have given George McGovern \$2.5 million. People did not seem as upset about that. But then McGovern did not win. So it did not really matter.

These were the kinds of terrible abuses that we were talking about, buying ambassadorships, buying favor with the President. "We must do something about the terrible influence of money in American politics. And so we are going to have spending reform."

And we had a carefully crafted bill that was going to bring about spending reform and put the question of buying access behind us altogether. And the miracle device that was going to produce this magnificent circumstance was the political action committee, the PAC. People forget that the PAC was created to solve the problem. And today we come to this Chamber and hear people thunder against the PAC's as the problem. It is the ultimate demonstration of what the Senator from Kentucky has said.

Mr. McCONNELL. Madam President, the situation, the abuse that the Senator described was cured by the current legislation. It is no longer possible and the Supreme Court said it is constitutional to restrict what an individual can give to another. The presumption being that that has corrupting potential. If a person can give directly to a candidate a huge amount of money that clearly has corrupting potential. And the abuse that the Senator describes was cured by the current post-watergate legislation under which we operate and held to be constitutional by the Senate.

And it is interesting to note that in the congressional system created in the wake of Buckley versus Valeo big money is gone. If a candidate raises a

lot of money, for example if you happen to run in California—by the way the California figures are always used. On a per capita basis California is one of the least expensive States to run in if you divide the number of people into the amount raised on a spending basis. Some of the most obscene, if you consider spending obscene, I personally do not, I consider it communication—but if you consider the number of people you have to reach in California on a per capita basis, it is rather inexpensive.

Mr. BENNETT. In my race in Utah, my primary opponent spent \$47 a vote. That would bankrupt anybody who tried it in California, except perhaps Ross Perot. Please continue.

Mr. McCONNELL. The Court did say, however, that the act of spending had no corrupting potential, none; that the spending was enhancement of speech and critical in the modern communication age. Again, using the California hypothetical, how in the world you could go door to door for the rest of your life and have no impact on the body politic in California, whereas in Utah, as the Senator pointed out, particularly given the convention system through which one must traverse in order to become the nominee of a political party, retail politics can make a difference.

But in a huge State to say that there is going to be a quantity, a limitation on the amount of speech allowed, it is nonsense and also unconstitutional.

So the Court said that it is permissible to put a limit on what one can give to another, that is the congressional system, and the big contributor disappears from the scene in congressional funding, alas, the one system we have in America with public funding and spending limits, the Presidential system which was upheld because it was truly voluntary and therefore constitutional; alas, that is the only race where the big money has come back, is the one where there is spending limits and taxpayer funding.

The reason the big funds come back is they come back in the form of independent expenditures, they come back in the form of soft money which brings the Senator from Kentucky to the rock in the Jell-O analogy that you always see happening in the one race where there is a spending limit also.

So even though the Presidential system meets the constitutional test as a practical matter it does not work and can never work because you cannot wall off all the opportunities to express yourself under the first amendment.

I thank the Senator for yielding.

Mr. BENNETT. I thank the Senator for his comments.

My mind goes back to a single individual, and two tracks of political money, that illustrate the point that the Senator from Kentucky has made again and again about the rock in the

Jell-O, and the money finding its own water. I am referring to Howard Hughes. This is a name that does not produce nearly the recognition that it used to. My kids look at me sometimes and say: "Dad, who was Howard Hughes?" I worked for Howard Hughes. I would say Howard Hughes was the Donald Trump of his time, only he did not go bankrupt.

The first track on Howard Hughes illustrates the old system. I represented Howard Hughes here in Washington. A lot of people thought that was a lot more glamorous than it really was. I got a phone call. I got a number of phone calls, Republicans and Democrats: We want political contributions from Howard Hughes.

They were not very coy about it. This was reputedly the richest man in America at the time, one of the most eccentric at the time, very much in the news. "We want some money from Howard Hughes."

A Member of this distinguished body, the chairman of one of this body's committees, solicited through his staff aide some money from Howard Hughes.

I said to the staff aide, "I understand; how much do you want?"

He said, "We think \$5,000 would be appropriate."

Remember, this is back in the sixties when that was a lot of money.

I said, "I understand." We sent in the check.

He called me back and said, "Bob, I got the check. I am very grateful to you, but there is one thing wrong with it." He says, "It says 'Howard Hughes' as the donor."

I said, "What is wrong with that. It is Mr. Hughes' money."

He said, "Now, Bob, we cannot be seen on the public record as having taken money from Howard Hughes. I am going to send the check back, and you send it in saying you are the donor."

I said, "I am sorry, I do not have \$5,000."

Well, he said, "But you are going to get it from Howard Hughes. You just have him give you the money as a gift, and you send it in and say it is your contribution."

I said, "Look, you asked for \$5,000; I got you \$5,000. Here it is. But the one thing I will not do is perjure myself. I will deliver the campaign contribution, but I will not perjure myself. The money is Howard Hughes' money, and if you want it, you report that you got it from Howard Hughes."

A little while later, I get a letter back from the distinguished chairman of the committee in this distinguished body addressed to me that said:

DEAR MR. BENNETT: It has come to my attention that a campaign contribution in the amount of \$5,000 has been tendered to my campaign from your client, Howard Hughes.

Mr. Bennett, I am sure you realize it would be inappropriate for me to accept this money because of the many issues that Mr. Hughes'

enterprises have that come before the committee which I chair. Accordingly, the check is returned.

Well, I guess he got 5,000 dollars' worth of publicity out of the fact that he refused a contribution from Howard Hughes. But I got calls, as I say, from both sides of the aisle.

I said to the Hughes organization in the 1972 campaign, "Look, we are going to get called by the Nixon administration, and they are going to want a big contribution. I recommend we do a pre-emptive strike."

He said, "What do you mean?"

I said, "I recommend we make the contribution before we are asked for it."

He said, "How much do you think that will take?"

I said, "I think if we give President Nixon \$50,000, that will embarrass them to the point that they will not come back and ask for any more. So let us give them \$50,000 without being solicited, and that will probably save us \$50,000, because they were planning to ask for \$100,000."

It turned out I was wrong. We gave them the \$50,000, and they came back and asked for an additional \$100,000. Then I found that they asked for money elsewhere in the organization.

That is the old system—Howard Hughes, the big donor; beat him up for contributions. Then we went to PAC's.

An interesting historical fact: There was the Hughes Aircraft Co., which Mr. Hughes did not own. A lot of people thought he owned it. He gave that away in 1954. It was owned by the Howard Hughes Medical Institute, and every dime that was earned by Hughes Aircraft went to charity.

They organized the Hughes political action committee, and they went among their employees in California, the managers of that company, and said, "We think you should be involved in politics, and we recommend that you give us \$5, \$10 apiece, and we will pool it into a single fund and then give it out at your instructions." They raised tens of thousands of dollars. And every candidate in California that wanted to run for anything always would schedule an appearance before the Hughes political action committee so that he could not only speak to all of the employees, but tap into the funds. It was American political involvement at its very, very best.

Those are two examples out of the same name. Under the old system, Howard Hughes was being beat up for large contributions. Under the new system, the Hughes political action committee was soliciting \$10, \$15, \$20 contributions from employees and getting employee involvement. We got rid of the old system, and we enshrined the new one on a nationwide scale, and now we are beating up that one and saying there is something wrong with that.

Mr. MCCONNELL. If the Senator will yield, do you know why we are beating

up the current system? The presumption is that too many people are involved, as if that is somehow inappropriate, because under the system that was established in the wake of Watergate, for a congressional candidate to raise a lot of money, with these limits and this disclosure, I would ask my friend, does he not have to have a whole lot of people involved?

Mr. BENNETT. Absolutely. The more we get involved, the better we are. And if we move toward public financing, we would freeze people out of involvement. We can say "You do not need to get involved anymore because we will use your tax dollars as your involvement."

If I might, it reminds me of a comment in the religious phrase, and I do not mean to inject religion into this circumstance, but it is the same kind of thing. A religious leader was commenting on what he called Checkbook Christians, people who sit down and write out a check to a charity and then think they have done their civic duty, as opposed to those who show up physically and get involved in helping the homeless and handicapped and the less fortunate.

We are moving in that direction of taxpayer politicians who say, "Well, I have done my duty because I paid my taxes, but I do not have to get involved by contributing to any campaign."

Mr. BOREN. Madam President, I want to interject myself briefly into this discussion and inquire of my colleagues from the point of view of scheduling. The Senator from Kentucky has indicated to me that there are some Members away from the Hill now over the noon hour, and it is my hope that we might be able to temporarily lay aside this particular amendment and allow the Senator from Kentucky to lay down another amendment, or perhaps his colleague, I am not sure which.

Mr. BENNETT. I have the amendment.

Mr. BOREN. The amendment of the Senator from Utah be in order and that we might stack those votes at approximately 1:30, or so.

I would inquire as to the subject matter of the amendment of the Senator in terms of the amendment he would lay down as we temporarily set aside the McConnell amendment.

Mr. BENNETT. Mr. President, I will be happy to respond. Because we have gotten into the area of public financing, I am concerned about the possibility of people like David Duke who want to earn their living constantly running for office, and do not care whether they win or lose. They constantly run because they will constantly get public financing and siphon that off, as Mr. Duke does into his own consulting firm and advertising firm and use public funds for that.

Therefore, my amendment would say that the public funds would not be

available for more than two general elections, so that someone who runs twice and loses twice loses his opportunity to continue to feed at the public trough.

Mr. BOREN. Madam President, let me ask my question of my colleague, if I might, if the Senator will yield.

Mr. BENNETT. Yes.

Mr. BOREN. Would those apply to those who are successfully elected, as well?

Mr. BENNETT. Yes; on the assumption that the incumbent enjoys greater name recognition, after two elections, he ought to be in position to fend for himself.

Madam President, I will send this amendment to the desk and ask that it be laid down for consideration as agreed by the managers of the bill.

Mr. BOREN. If the Senator will withhold a minute, we will enter a unanimous-consent request to allow that.

Mr. BENNETT. I am happy to withhold.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. BOREN. Madam President, let me ask unanimous consent, and I will ask the indulgence of my colleague. Let me say what I am about to ask, as my colleague needs to consult.

Mr. MCCONNELL. Before we set the time—I consulted with the Republican leader—I assume it would be discussed.

Mr. BOREN. Madam President, in just a moment, I will ask unanimous consent that the McConnell amendment No. 397 be temporarily laid aside so we might have another amendment laid down.

It is my hope, if the debate on the second amendment is completed by that time, we then can have those votes back to back. That would be a convenience to our colleagues.

Let me just say very briefly—and then I will yield the floor—that I, of course, do not find myself in sympathy with this amendment. Again, it goes back to a philosophical disagreement on what we are about.

I believe the American people are concerned that we limit the runaway amount of money coming into campaigns. I believe that the American people are willing to make some compromises, including an understanding that the Supreme Court decisions say that if we are going to have spending limits, they must be voluntary, and therefore there must be incentives to get people to accept spending limits.

If the goal is to have spending limits and stop the runaway flow of money into campaigns, we have to have incentives to get people to accept the spending limits. We do not want to penalize people or discourage people from accepting the spending limits; we want to encourage them.

So what the current proposal does, the current bill as drafted, it simply gives a notice to the American people

that—since over 80 percent of the American people want spending limits in campaigns; since over 80 percent of the American people think we ought to be competing on the basis of ideas and qualifications, and not on who can raise the most money—we require in the bill that if the candidate does not accept spending limits, there should be a disclaimer on his broadcast ads, so the people back home know, if someone is trying to win an election by spending millions and millions of unlimited dollars, that that candidate does not accept spending limits. And I think that is a fair thing; I think that is something that is workable.

If you want to complicate and dilute that message—and that is what the amendment would do is dilute the message and put it in a way that really, I think, says not exactly what is going on. It says that this candidate accepts taxpayer funding of ads, talking about the candidate that does accept spending limits. That amendment could be pejorative. We know the individual taxpayer out there is not going to be paying for it. Have the lobby pay for it by ending the lobbyist tax deduction.

So what we are doing is complicating the message to the point that the real message, which should get through—that is, which candidates agree to a spending limit and which candidates do not—is really obscured by this red herring of an argument, from my point of view.

I know my colleague does not agree with me. We do have the philosophical difference. I think the red herring implies to the people they are paying for the ad when, in fact, we have a lobbyist tax deduction being ended. And I think most of the American people feel it would be fair that the lobby pay into a fund that will clean up the Government of the United States; that we have to have a system to stop runaway spending that depends so much on special-interest financing.

At the appropriate time, I will move to table the McConnell amendment. We do have this honest disagreement. I do not want to prolong the debate.

The colleagues have made the point they have made about it. Representing a different philosophical approach, they made their points very well. I think we all understand the issue, and it is just simply a very basic and fundamental difference about the way we view campaigns, and whether or not we view the spending of unlimited amounts of money as something that is necessary or wholesome in a political campaign.

I think it is unwholesome. I think it is unnecessary. I think it should be stopped. I think the American people are worried about so many millions of dollars pouring into campaigns. I think they want spending limits. I think it is only fair that the American people should have a right to know which can-

didates accept spending limits and which do not. I think, rather, we are obscuring that message and adding what I believe are red herrings to it.

I will move to table that amendment at the appropriate time.

Mr. BENNETT. Madam President, will the Senator yield for a question?

Mr. BOREN. I am happy to yield.

Mr. BENNETT. The Senator refers to this being paid for by the savings on the lobbyist deduction. Would the Senator approve of an amendment, if it were drafted, that would create a trust fund that would say that the savings from the deductions would be put into that trust fund, and that no expenditures for campaigns other than that covered by the trust fund would be made?

Mr. BOREN. Madam President, if that were drafted properly, I have no objection to that. In fact, that is exactly what we intend to do, is create a separate trust fund in which funds which are necessary for this bill come from that one source. There is some talk about a gross receipts tax also being added, and some proposals from the other side of the aisle on other matters, as well, about that.

But the concept, yes, of identifying the revenue source. This is something that five Republican Senators wrote to me about—wanting the source designated, wanting it set aside in the separate trust fund. The legislation indicates until the fund is identified and set aside separately, the source identified—we identify the lobbyist deduction—the bill would not go into effect.

Basically, yes, I support that concept. There have been a couple of amendments offered in a way that prevented us from really doing that.

So I would have to put in the caveat that it be in a way we really make that a workable approach. But the concept I am very much in favor of.

Let me ask, Madam president, I believe perhaps we have an answer as to the timing, that we could schedule a vote on or in relation to the McConnell amendment.

Let me withhold for just a moment.

Mr. MCCONNELL. Madam President, I do not want to debate this further, other than to say maybe there is a possibility of compromise here. Maybe we could come up with a disclaimer that both incorporates the spending limit issues, but it also mentions it is paid for by taxpayer funding. We want to tell the truth here about what is going on. The candidate has not only agreed to limit speech, but also to take taxpayers' money.

So maybe, after we get through with this, we could merge the two and see if we could not have a complete and total and honest disclosure of what is really going on here. Not only is the candidate agreeing to not speak too much, he is also agreeing to take taxpayer funds.

Madam President, I ask unanimous consent that my amendment be temporarily laid aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 398 TO AMENDMENT NO. 366
(Purpose: To limit the availability of public funding to candidates who have not received benefits under this title for more than two previous general elections)

Mr. BENNETT. Madam President, I send to the desk an amendment and ask for its consideration in due course, as worked out by the managers of the bill.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Utah [Mr. BENNETT] proposes an amendment numbered 398.

Mr. BENNETT. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 4, strike, "and" at the end of line 19.

On page 4, strike the period at the end of line 21 and insert "; and".

On page 4, between lines 21 and 22, insert the following:

"(4) has not received benefits under this title for more than 2 previous general elections."

Mr. BENNETT. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOREN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. BOREN. Madam President, I ask unanimous consent that the time between now and 1:45 p.m. be equally divided in the usual form for debate on Senator BENNETT's amendment, number 398; that a vote without any intervening action or debate occur on or in relation to Senator BENNETT's amendment at 1:45 p.m.; that immediately following the disposition of Senator BENNETT's amendment the Senate vote without any intervening action or debate on or in relation to Senator MCCONNELL's amendment, number 397; that no second-degree amendments or amendments to language that may be stricken be in order prior to the disposition of these amendments.

Let me restate that just briefly, Madam President: That the Senate vote on Senator MCCONNELL's amendment and that vote occur immediately thereon without any intervening action or debate and that no second-degree amendment or amendments to the language that may be stricken be in order prior to the disposition of these amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOREN. Madam President, in both of those requests, as I indicated, the vote on the Bennett proposal and the vote on the McConnell proposal would be on or in relationship to those two amendments.

I understand this has been cleared by the Republican manager of the bill as well.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOREN. Madam President, I suggest the absence of a quorum and ask unanimous consent the time be equally charged to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Madam President, I ask unanimous consent that I be allowed to proceed in morning business for 10 minutes.

The PRESIDING OFFICER. The Senator from Michigan is recognized for 10 minutes.

REPORT ON VISIT TO BALKAN REGION

Mr. LEVIN. Madam President, I just returned from a visit to the Balkan region. I would like to share some impressions and recommendations regarding the course of action that should be taken to stop the killing, to contain the conflict in the former Yugoslavia, and to protect what remains of Bosnia.

I met with NATO leaders, with United Nations officials, as well as with heads of State, parliamentarians, and defense officials in the region. I came away with three strong impressions.

First, there was a consensus among the leaders that I met with that stronger action is needed by NATO in the former Yugoslavia and that they would support a larger NATO military presence to prevent the conflict from spreading. We found broad support in Macedonia for the deployment of NATO forces to the Macedonia-Serbia border to deter a spillover of the war into Macedonia.

Second, economic sanctions against Serbia alone are not going to be sufficient to change the direction of this crisis. They are not being effectively enforced. I personally witnessed extensive truck traffic traveling in both directions across the Macedonia-Serbia border and heard much evidence of significant rail and truck traffic getting through from other nations in the region.

Sanctions are undoubtedly hurting Serbia's economy to some extent, but

sanctions alone, especially if not more strenuously enforced, will not soon produce the desired impact of a negotiated settlement in Bosnia.

Third, the NATO alliance desperately needs and truly wants strong leadership from the United States. While our allies must be consulted to produce a unified strategy, they will still look to the United States as the only NATO member capable of leadership. This view was shared by a surprisingly broad set of political and military leaders with whom we visited.

Those nations have been opposed to our taking stronger action before have recently signed on to a U.N. resolution. This resolution is a significant step forward and represents the first time that the United Nations has authorized air strikes against Serbian forces in Bosnia. Countries that have opposed air strikes up until now have voted, nonetheless, for this U.N. resolution, and that represents a significant breakthrough and a significant opportunity.

Last Friday, the U.N. Security Council approved that resolution, No. 836, to enact the joint action plan in Bosnia. Some have criticized the plan to create safe havens as another hollow threat from the United Nations that will not deter Serbian aggression. One reason for criticism is that part of the resolution relies on the contribution of 10,000 additional peacekeeping troops, although few countries are willing to send more troops for that purpose. These, of course, are troops on the ground.

Another reason for the criticism of the U.N. resolution is that the plan relies on the Serbs permitting troops access to the safe areas, which is an iffy prospect at best. Even if everything went well, it would take months to fully staff and protect the safe havens under the U.N. plan.

But this U.N. resolution also contains a nugget, a very important opportunity to apply force in a way that will be meaningful and could begin to turn things around. For the first time in this resolution the United Nations has authorized NATO to use air strikes to protect U.N. peacekeepers on the ground. With leadership from the United States at NATO, NATO could begin using air power for that purpose before the end of the month.

We have said before that it is our position to support air strikes; it was the Europeans who said no. Now we and the Europeans and others together have approved Resolution 836 at the United Nations which specifically states in paragraph 10 that U.N. member states or regional organizations are authorized to take "all necessary measures, through the use of air power, in and around the safe areas in Bosnia and Herzegovina to protect U.N. ground forces that are already there."

At a foreign ministers meeting in Athens tomorrow, NATO will consider

a plan to act on that U.N. resolution. The military command and communications arrangements are already sketched out by the military side of NATO. Most of the planes and the equipment needed are in the region, or can be transferred to the region quickly. All that is needed now is the political will of our NATO allies and ourselves to take action in response to paragraph 10 of U.N. Resolution 836.

The proposal for NATO air cover puts the final decision about the use of force in a particular circumstance in the proper hands, which is the commander on the ground. It is the commander on the ground under attack by Serbian artillery who would either radio a request for those air strikes against his attackers from NATO forces or not radio, depending on his situation.

By having the ground units themselves make that final decision, individual commanders could determine if air strikes would help alleviate the danger that they face or if such air strikes would jeopardize U.N. forces on the ground.

(Mr. KERREY assumed the chair.)

Mr. LEVIN. One of the arguments that has been made against air strikes has been that we would jeopardize the very peacekeeping forces that those air strikes are intended to protect, and that is a legitimate argument. But because of the way this plan is framed, the final decision as to whether to call in an air strike to protect those forces on the ground would be left to the commander on the ground and not by some other commander.

Establishing NATO's willingness to respond to the U.N. resolution to use force is crucial. It could be used almost immediately to support thousands of U.N. troops already in the region without waiting for the arrival of more troops in the so-called safe havens. And having NATO air power available to protect U.N. ground forces already in these havens, including Sarajevo, is something we can build on to stop the killing and protect what is left of Bosnia.

NATO action could also help contain the war. The fragile new democracies in the region are desperate for a show of NATO force that might prevent Serb aggression from spreading to their countries and elsewhere in the Balkans. The President of Macedonia and Albania told me they would welcome stronger action by the alliance, and Macedonia's President Gligorov said he would welcome deployment of NATO forces on his border in order to deter a spillover of the war into his country.

We should not and need not wait for Serbian compliance with the terms of the latest U.N. resolution, nor should we rely on Serbian promises, but we should prepare now to act.

In fact, NATO planning in this regard is quite advanced and could be completed in a short amount of time.

NATO planners have identified, in addition, many Serbian targets which could be the object of retaliatory attacks should they be required to protect U.N. forces.

Mr. President, economic sanctions alone are not going to turn the tide against Serb aggression any time soon. These photographs of what I saw, trucks flowing freely in and out of Serbia on the Macedonian border, demonstrate that the sanctions are not working. This border between Macedonia and Serbia is a sieve. Trucks are not supposed to be moving across that border. These are photographs of trucks moving across miles of that border. This is what we witnessed with our own eyes. These are pictures that we took.

U.N. and other monitors, including American customs officials assigned to the Conference on Security and Cooperation in Europe stand by helplessly and count trucks as they go by, with no power to open those trucks to see what the cargo is. Nothing is supposed to pass but food and medicine that is U.N.-approved, but these trucks are not being checked.

The U.N. Security Council, including our major European allies, now for the first time has authorized the use of air power in support of U.N. troops on the ground in former Yugoslavia. NATO should accept that responsibility and use the authority to try to shift the balance and end the killing before Europe is engulfed in a wider war.

Twice in this century the United States has been dragged into a European war after first turning our heads and hoping it would go away. It is unquestionably in our national interests to stop the war in Yugoslavia before it becomes a larger conflagration, and it is also essential to make NATO and the U.N. effective, credible security institutions. Otherwise, the United States and the world will face more Yugoslavias around the globe, and we will not have the tools to prevent them.

Three generations ago, the League of Nations failed to meet its goals because it had no power to enforce its actions. The founders of the United Nations envisioned and incorporated in the U.N. Charter the means to enforce its resolutions by military force, if necessary, to put teeth behind its word. For 50 years, the cold war and the threat of a Russian veto have made multinational enforcement by the United Nations impossible. But now multinational peace enforcement is not only possible, it is the key to our future security. Our will to take such a step is being tested in the former Yugoslavia.

We have an opportunity, and it is urgent, to demonstrate that multinational collective action can stem this conflict and become the basis of our security for the future. We can also demonstrate that NATO is still rel-

evant in this post-cold war era and has important missions and can summon the will to undertake them.

Taking stronger action in Yugoslavia is not without risk. But the cost of not taking effective action will in all likelihood be a larger Balkan conflict which will drag in the United States and other European nations. Areas of great importance to the United States could be engulfed in ethnic conflict if we cannot lead our allies to develop a credible threat of multinational action that prevents such conflict. And only the United States can provide the leadership needed to secure an effective NATO response. Congress, the American people, and our allies will respond if the President will lead with determination, explain the rationale for NATO action, and ensure that the burden is shared by our allies.

I am convinced, Mr. President, that our security and the security of our children, as well as the lives of innocent people in former Yugoslavia, require such action.

I yield the floor and I note the absence of a quorum.

The PRESIDING OFFICER. If there is no objection, the time will be charged equally to both sides.

The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BENNETT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRESSIONAL SPENDING LIMIT AND ELECTION REFORM ACT OF 1993

The Senate continued with consideration of the bill.

AMENDMENT NO. 398

Mr. BENNETT. Mr. President, in a few moments we will vote on an amendment which I have sent to the desk which I would like to explain in some greater detail.

We had general debate during the discussion of the McConnell amendment in which I made some of the same points that I will make now, but I wish to focus on the amendment and the reason for my offering it.

I will make it clear, Mr. President, that I intend to vote against this bill, whether my amendment passes or not, as long as it contains public financing of campaigns. I can think of nothing more difficult to explain to the American people at a time of budget difficulty and soaring deficits than taking additional taxpayer dollars to spend on a political campaign. I find nothing more difficult to explain and defend than that particular notion.

This amendment simply says that if the bill should pass and public money be available to people who campaign, that it be available for only two ef-

forts. I call this somewhat facetiously, but I hope graphically, the David Duke amendment.

Let me give you a little background for those who may not know about David Duke. A member of the Louisiana State Legislature, he ran for Governor. He ran for Senate. He ran for President. He runs for just about anything that comes along. He has a particular constituency to which he appeals, and that, of course, is his right in the American system. He appeals to them in sufficient fashion as to raise very substantial sums of money. And these sums are then spent in his campaigns.

Well, how are they spent? They are spent in the traditional way. He hires a political consulting firm to run his campaign. Who is the head of the political consulting firm that he hires? It is David Duke. So he takes a good portion of the campaign money that is raised for his campaign and puts it in his pocket as a salary for his efforts as a campaign consultant.

As a campaign consultant, he advises the campaign to spend money on television ads and radio ads, which is the standard kind of thing we all do. Who is the ad agency which spends this money? It is an ad agency owned by David Duke, and he spends the money taking his commission and his salary out of it. He earns his living, Mr. President, running for office. From a financial standpoint he does not care whether he wins or loses.

If his supporters are satisfied being ripped off in this fashion, that is their business and that is fine with me. But to take taxpayer dollars and have the taxpayers constantly funding David Duke's efforts to feed himself and his family by virtue of siphoning off political campaigns for personal use in the manner which I have described I find totally unacceptable.

I will admit that I at one point was fairly naive about things like this. We had a politician in Utah, he shall remain nameless, who ran for everything that came down the pike. He appealed to a certain segment of the population. Some went so far as to call him an extremist. But those people who shared his views were always faithful, they were always there with their campaign contributions, they always took care of him. He very seldom won. And I, commenting once to a knowledgeable political figure in the State, said, "Why does So and So keep running? I would be embarrassed to keep running and losing the way he keeps running and losing."

My older and wiser friend looked at me and said, "Bob, you do not understand. That is how he earns his living. He does not do anything else but every 2 years whip up his constituency, run for office, take a amount off the top, and he lives pretty well." In those days he said, "This man earns about \$50,000

a year running for office, and does not really care whether he wins or loses. As a matter of fact, financially he is better off if he does not win because then he has to settle for whatever the public salary might be for the job he might be seeking." That was the beginning of the end of some of my political innocence.

As I say, I have seen this same thing now recur on a national scale as we have seen the emergence of David Duke. Indeed, one of David Duke's supporters in the press left him because he said he realized that David Duke filed for the Presidency not because he had any hope or even thought of winning the Presidency, but because he knew that he could raise the money from his constituents, get Federal matching funds, and thereby line his pockets far more running for President than he could running for anything else.

That is why I am opposed to this bill generally. That is why I am opposed to public financing. But if the Senate in its wisdom decides not to listen to me and pass the bill, I want to see to it that we do not use the Federal Treasury as a perpetual personal fund for the David Dukes of this world. That is why I have an amendment that says that you can only receive the benefits under this title for two general elections. In other words, Mr. Duke, you can fool us once, you can fool us twice, but from that point on, you are on your own. Some people will say, yes, but that applies to incumbents, too. It is not fair. Incumbents will only get funded for two elections. Presumably, first as the challenger and the next for reelection.

It is no secret in this body the advantage that the incumbent has which has nothing whatever to do with dollars. An incumbent who has had 12 years in this body of sending out newsletters, going home, speaking, appearing at the local charity, marching in the Fourth of July parade, in every little hamlet and town in his State for 12 years has such an advantage that he does not need taxpayer dollars to add to it.

So I think it is appropriate for us to say, OK, only two shots, win or lose. If you want to keep running and losing in order to line your pockets, you only get two shots at it. If you win both times, then you are the incumbent. We also level the playing field by saying you do not have Federal funding from then on. If it is only available for your challenger.

We have heard a lot of rhetoric in this Chamber about how this is for the purpose of helping the challenger. We want to see that the challenger has a level playing field. Well, if we want to see that the challenger has an advantage because of the advantages that go with incumbency, why, then pass my amendment. It will give you Federal funding, Mr. Incumbent Senator, Madam Incumbent Senator, for your first reelection effort if you are suc-

cessful the first time, and from then on, you are on your own.

Therefore, Mr. President, I think this amendment fits the kind of rhetoric we have been hearing in this body. I think it fits the kinds of arguments that have been made here about the importance of taking care of the poor, innocent challenger and so on, and at the same time it guarantees that we are not going to have people like the friend that I have described back home in Utah who earns his living running for office.

I do not know any taxpayer who gets excited about that kind of circumstance.

Mr. MCCONNELL. Mr. President, I ask unanimous consent to proceed for a couple of minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I just want to commend my friend from Utah for his excellent amendment, which will go a long way toward guaranteeing that we just do not have sort of perpetual candidacies funded by the taxpayers, which could potentially directly enrich a number of candidates around the country such as David Duke.

There will be two votes, Mr. President, at 1:45. I want to just briefly reiterate again the substantive McConnell amendment. Under the underlying bill, a noncomplying candidate—that is, one who chooses not to limit his speech—must have the following disclaimer in his or her ad. That disclaimer reads: "This candidate does not agree to voluntary spending limits."

Most Americans would think that will break or handicap that candidate and, as the Senator from Utah has pointed out, the candidate will have to use some portion of whatever is left of his campaign to explain why he had to have that disclaimer in it. But, nevertheless, in our endless search for a way to level the playing field, it seems to this Senator important that the complying candidate, that candidate who agrees to shut up and take taxpayer funding, must also level with the voters about his actions.

So my amendment would simply require the complying candidate to have the following disclaimer in his or her ad: "The preceding political advertisement was paid for with taxpayer funds."

So if you want to level the playing field and provide that the complying candidate also provides information to the voter as well as the noncomplying candidate, then you will support the McConnell amendment. I urge its approval.

Mr. President, is the Senator from Kentucky correct in assuming that if he were to enter a quorum call, the vote would occur at 1:45?

The PRESIDING OFFICER. The Senator is correct.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BOREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOREN. Mr. President, I will make a motion that will apply when the appropriate time for the vote on or in relation to the Bennett amendment arrives at 1:45.

I move to table the Bennett amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on the motion to table amendment No. 398 offered by the Senator from Utah. The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Montana [Mr. BAUCUS], the Senator from Florida [Mr. GRAHAM], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Texas [Mr. KRUEGER], the Senator from Ohio [Mr. METZENBAUM], and the Senator from Georgia [Mr. NUNN] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Georgia [Mr. COVERDELL], the Senator from New Mexico [Mr. DOMENICI], the Senator from Oregon [Mr. HATFIELD], and the Senator from Alaska [Mr. MURKOWSKI] are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD], would vote "nay."

The PRESIDING OFFICER (Mr. REID). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 43, as follows:

[Rollcall Vote No. 139 Leg.]

YEAS—47

Akaka	Feinstein	Mitchell
Biden	Ford	Moseley-Braun
Bingaman	Glenn	Moynihan
Boren	Harkin	Murray
Boxer	Heflin	Pell
Bradley	Inouye	Pryor
Breaux	Johnston	Reld
Bryan	Kennedy	Riegle
Bumpers	Kerry	Robb
Byrd	Kohl	Rockefeller
Conrad	Lautenberg	Sarbanes
Daschle	Leahy	Sasser
DeConcini	Levin	Shelby
Dodd	Lieberman	Simon
Dorgan	Mathews	Wellstone
Feingold	Mikulski	

NAYS—43

Bennett	Coats	Dole
Bond	Cochran	Durenberger
Brown	Cohen	Exon
Burns	Craig	Faircloth
Campbell	D'Amato	Gorton
Chafee	Danforth	Gramm

Grassley	Lugar	Smith
Gregg	Mack	Specter
Hatch	McCain	Stevens
Helms	McConnell	Thurmond
Jeffords	Nickles	Wallop
Kassebaum	Packwood	Warner
Kempthorne	Pressler	Wofford
Kerrey	Roth	
Lott	Simpson	

NOT VOTING—10

Baucus	Hatfield	Murkowski
Coverdell	Hollings	Nunn
Domenici	Krueger	
Graham	Metzenbaum	

So the motion to lay on the table the amendment (No. 398) was agreed to.

Mr. BOREN. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. EXON. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

VOTE ON MOTION TO TABLE AMENDMENT NO. 397

Mr. BOREN. Mr. President, I move to table the McConnell amendment numbered 397, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma [Mr. BOREN] to table the amendment numbered 397 of the Senator from Kentucky [Mr. MCCONNELL].

The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Montana [Mr. BAUCUS], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Texas [Mr. KRUEGER], and the Senator from Georgia [Mr. NUNN] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Georgia [Mr. COVERDELL], the Senator from New Mexico [Mr. DOMENICI], the Senator from Oregon [Mr. HATFIELD], and the Senator from Alaska [Mr. MURKOWSKI] are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 47, nays 45, as follows:

[Rollcall Vote No. 140 Leg.]

YEAS—47

Akaka	Dorgan	Lieberman
Biden	Exon	Mathews
Bingaman	Feingold	Metzenbaum
Boren	Feinstein	Mikulski
Boxer	Ford	Mitchell
Bradley	Glenn	Moseley-Braun
Breaux	Graham	Moynihan
Bryan	Inouye	Murray
Bumpers	Johnston	Pell
Byrd	Kennedy	Pryor
Conrad	Kerrey	Reid
Daschle	Kerry	Riegle
DeConcini	Leahy	Robb
Dodd	Levin	

Rockefeller	Sasser	Wellstone
Sarbanes	Simon	Wofford

NAYS—45

Bennett	Gorton	Mack
Bond	Gramm	McCain
Brown	Grassley	McConnell
Burns	Gregg	Nickles
Campbell	Harkin	Packwood
Chafee	Hatch	Pressler
Coats	Heflin	Roth
Cochran	Helms	Shelby
Cohen	Jeffords	Simpson
Craig	Kassebaum	Smith
D'Amato	Kempthorne	Specter
Danforth	Kohl	Stevens
Dole	Lautenberg	Thurmond
Durenberger	Lott	Wallop
Faircloth	Lugar	Warner

NOT VOTING—8

Baucus	Hatfield	Murkowski
Coverdell	Hollings	Nunn
Domenici	Krueger	

So the motion to lay on the table the amendment (No. 397) was agreed to.

Mr. BOREN. Mr. President, I move to reconsider the vote by which the motion was agreed to.

Mr. MCCONNELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. Mr. President, by the narrowest of margins, the Senate has just voted not to fully disclose to the taxpayers of the United States when their money is being used to pay for political ads. Certainly, I am pleased with the closeness of the vote. Obviously, it was a difficult vote for a number of Senators. I can understand why it would be because, in effect, the result of the just-completed vote is that if a candidate chooses to exercise his first amendment rights, that candidate is required to have a pejorative disclaimer in his television ads which, as the Senator from Utah pointed out during the course of the discussion, will require that candidate to further use time in his commercial to explain why he has the pejorative disclaimer in his ad.

The disclaimer that was just, in effect, voted down for the complying candidate—that is, the candidate willing to shut up and take taxpayer money—is an almost identical disclaimer, Mr. President, to the disclaimer that we currently require and use on all taxpayer-funded mass mailers.

So what the Senate said, in effect, is it will not require a candidate who reached a limit of speech and paid for his campaign with tax dollars to disclose the information that we already require of mass mail out of this body today.

Mr. President, what could sum it up better than that? We want to take the dough, but we do not want anybody to know it. We are not even willing to disclose the truth when we have accepted taxpayer funding of our campaigns.

I think the American people are not fooled. They know what is going on

here and they are becoming more and more aware of taxpayer funding that we already have in the Presidential system. We have the most complete and comprehensive survey ever taken in America on any issue every year, when on April 15, taxpayers get to decide whether they want to check off a dollar of taxes they already owe—it does not add anything to their tax bill—to divert that money away from deficit reduction or childhood immunization or any other worthwhile activity of the Federal Government into the Presidential election campaign fund.

The participation has dropped from 29 percent, in the late seventies, down to 17 percent. So we know how Americans feel about taxpayer funding of elections. They hate, detest, and despise it. Millions of them express themselves on that issue every year; 83 percent choose not to check off a dollar they already owe to be spent on this. And the Senate, by the narrowest of margins—one vote—has just said: We will not tell you, public, that your tax dollars are going into our campaigns; we want to hide it.

I can see why we would want to hide it because the taxpayers hate it.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. MCCONNELL. I yield to my friend from Utah.

Mr. BENNETT. While the Senator from Kentucky is on the subject of public funding of the Presidential campaign, I would appreciate it if he would give us details as to the benefits of public funding of a Presidential campaign—whether the public funding has, indeed, slowed down the spending in the ways that it was supposed to when it was adopted, or if the spending has increased—if we could have some specific information on that.

Mr. MCCONNELL. Mr. President, I will say in response to the very worthwhile question of the Senator from Utah that we have spent three-quarters of a billion dollars—three-quarters of a billion dollars—on Presidential elections to date; not just on Republicans and Democrats, but Lenora Fulani and Lyndon LaRouche—I cannot remember whether he is in or out of jail at the moment. We have spent three-quarters of a billion dollars of taxpayers' funds during the history of the Presidential race.

In direct response to the question of the Senator from Utah, spending has not subsided. Spending has, in fact, risen exponentially. As a matter of fact, between 1984 and 1988, spending went up over 50 percent, while during the congressional elections during that period, from 1986 to 1988, and again from 1988 to 1990, the total amount spent, in a system where there are no spending limits, spending went down.

I do not applaud that the reason it went down is because there were not a lot of competitive races. It went up

again in 1992 because we had a lot of competitive races.

The point my friend is driving at is it had no impact on spending. Money was still being spent. Again, using the rock on Jell-O analog, it was just being spent by large donors in independent expenditures, and soft money, either party or nonparty soft money, out of the eye largely of the public. So we squandered three-quarters of a billion dollars of taxpayers' money that could have gone to something truly worthwhile, and it did not do anything about limiting expenditures.

Mr. BENNETT. Will the Senator yield further?

Mr. MCCONNELL. I yield.

Mr. BENNETT. In the last election, 1992, we saw an individual who declined to use taxpayer dollars and spend an enormous amount of his own dollars in order to finish third in running for the Presidency—Mr. Perot. At the moment, does the Senator feel that Mr. Perot looks as if he is spending money in preparation for a race in 1996?

Mr. MCCONNELL. It would seem to this Senator that expenditures of money by Mr. Perot could well be in the direction of benefiting his campaign for 1996 should he choose to make one.

Mr. BENNETT. Let us assume, Mr. President, that Mr. Perot is running for President in 1996, now spending his money in great amounts without regard to any limitations. And let us suppose for the sake of the scenario that in February of 1996, he announces his candidacy for the Presidency after having spent, let us say, \$100 million, \$150 million preparing for that candidacy. I ask the Senator, under this bill, would he then qualify for Federal matching funds?

Mr. MCCONNELL. I say to my friend from Utah, if Mr. Perot were to decide in February of 1996 that he wanted to then accept public funding and limit his speech, all of the private individual money that he has a constitutional right to spend in years prior to that would have no impact, I mean would have been completely outside the system and not limited by this law.

Mr. FORD. Mr. President, could I get into this debate here between my two colleagues? This bill does not apply to Presidential elections.

Mr. BENNETT. I understand that, Mr. President. But my comment was going to be this: If Mr. Perot then should decide under this legislation that rather than seek the Presidency, to seek a seat in the Senate, he could, out of his own funds expend \$150 million, or whatever figure it might be, making his name and views known throughout the country and then at the last possible moment file for the Senate and still be taxpayer subsidized in spite of the fact that he had exceeded all historic spending limits prior to that moment. That was the

point I intended to make, Mr. President, using the Presidential spending limits as the analogy.

Mr. MCCONNELL. Mr. President, I say to my friend from Utah the analogy is absolutely correct, because in a sense what we are trying to do with this bill is basically replicate the Presidential system and apply it to 535 additional races. So the analogy is right in point. Whether Mr. Perot were to choose to run for President or for the Senate, he is doing what he has a constitutional right to do. There is nothing improper about what he is doing. But it just illustrates another way to defeat the purposes of the legislation.

Mr. BENNETT. Mr. President, that was my point, that the American politicians are ingenious enough that they can find ways around this legislation if they want to. If there is, indeed, a serious abuse going on, it will continue to go on whether this legislation passes or not.

Mr. MCCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. While we are on the subject of Ross Perot's taxpayer funding of elections—I think that is something that a lot of our colleagues are interested in, certainly something the American people are interested in. As a matter of fact, recent surveys have indicated that, if the election were held today, Ross Perot might be in a tie with the President of the United States. He certainly has a large, devoted following out around the country.

Just last June on the "Today Show," Mr. Perot made an issue out of his refusal to accept taxpayer financing. He said:

You taxpayers out there are paying for the party conventions that cost you about 10 million bucks. You taxpayers are going to pay for the Democrats' and Republicans' campaigns. You are going to kick in something over \$50 million there. I don't want to spend a penny of taxpayers' money on me because I want that money, which we don't have enough of, to go to help the people who need it and to spend to rebuild our country.

More recently, the Los Angeles Times reported that Perot called Clinton's proposal—that is this proposal we are debating today—"sham reform," saying, "The American people don't want sham reform; they want real reform."

So I think it is safe to say, Mr. President, that Mr. Perot does not favor taxpayer funding of elections.

With regard to the history—and the reason we look at the Presidential system, we have an example out there to study. That is the reason the Senator from Utah raises the Presidential system, and so do I.

Michael Malbin, of the Rockefeller Institute of Government, who is a scholar who has studied this issue at great length, back in 1991, before the

1992 election, made the following observations. He said:

In every Presidential election since public funding and spending limits—

Just looking at those elections prior to last year, 1976, 1980, 1984, and 1988—spending has gone up with more and more of the money going off the books and underground. If people care enough about an election, they will look for ways to get involved. If they are big and well organized and cannot contribute directly, then they will look at independent expenditures or delegate committees or registration and get out the vote, or communicating with members, or buying issue ads that publicize the position of an incumbent without directly advocating election or defeat, or dozens of other devices, some of which have not even been thought up. Off-the-book activities like these—

Professor Malbin says—

have become more prominent in every election—

Again, referring to the Presidential election, which has a system similar to what we are seeking to establish in the underlying bill—

in every election since 1976. Some of them can be regulated, but there is no way they can all be eliminated without running roughshod over the first amendment. More importantly, all of these devices favor the well organized and the powerful over smaller participants. What the limits seem to be doing, in other words, is encouraging the powerful—

The powerful—

to engage in subterfuge and legal gamesmanship. It is giving them an incentive to increase their influence in ways that are poorly disclosed. As a cure for cynicism or corruption, this seems bizarre.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. MCCONNELL. I yield to my friend from Utah.

Mr. BENNETT. Mr. President, we have heard on this floor again and again on this issue that the reason we have to go to public funding and financing is to help the challenger, that incumbents are all right, but we have to help the challenger and give us a level playing field; that most of the money that is collected is collected by incumbents, and it is the poor challenger who is in trouble every single time in this circumstance.

I ask the Senator from Kentucky for his advice with respect to this issue. I have an amendment that would say this public funding would be available only to challengers, and I ask the Senator from Kentucky for his advice as to whether or not that amendment should be offered in the context of this debate.

Mr. MCCONNELL. Mr. President, I say to my friend from Utah, if the purpose of this bill, as we have heard repeatedly from the other side, the side with the most incumbents, who control the Congress, if the purpose of this bill is to level the playing field and help challengers, then I say to my friend from Utah it might be a very useful amendment. If we really want to level the playing field, if we are really con-

cerned about underfunded challengers, then the amendment my friend from Utah is contemplating sending to the desk might be entirely in order. Let us really do something to help the challenger. If the challenger cannot make it without assistance from the Government—and the incumbent, as we all know, has enormous advantages—and if we simply must, we cannot restrain ourselves, we simply have to spend tax dollars, we just have to do that, then why not, the Senator is suggesting, provide it to the needy candidates.

AMENDMENT NO. 399 TO AMENDMENT NO. 366

(Purpose: To limit the availability of public funding to challengers who have not received benefits under this title for more than two previous general elections)

Mr. BENNETT. Mr. President, responding to the advice of my friend from Kentucky, I then send an amendment to the desk and ask for its consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Utah [Mr. BENNETT] proposes an amendment numbered 399.

Mr. BENNETT. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 4, strike "and" at the end of line 19.

On page 4, strike the period at the end of line 21 and insert a semicolon.

On page 4, between lines 21 and 22, insert the following:

"(4) is a challenger to an incumbent Senator; and

"(5) has not received benefits under this title for more than 2 previous general elections.

Mr. BENNETT. Mr. President, I hesitated to offer this amendment for several reasons, one being that the reaction that came back very quickly from my home State from the amendment that I offered earlier today, which was defeated, was "we thought you are opposed to any financing. Why do you support an amendment that would limit the financing?"

I made it very clear that I do oppose Federal financing, but that in case this bill should pass I wanted to make it as palatable as possible. I hope there will be no misunderstanding with this amendment that I might have changed my mind on public financing. I am still opposed to public financing for all of the reasons that we have outlined here before.

But I offer the amendment because of the rhetoric that we have heard on this floor. As people have said over and over again, it is the challenger that needs the help. We must be selfless. We who are in office must recognize that the American people are crying out for a fair contest. So let us give them a fair contest by giving tax dollars to the

challengers. Of course we incumbents will not take tax dollars ourselves, but in the name of fairness we will give tax dollars to the challengers.

Mr. President, having just come off an experience of being a challenger, I think I can talk a little bit about the advantages that an incumbent has. They say you did not challenge for a contested seat, you challenged for an open seat.

Senator Garn withdrew and retired voluntarily. That is true, but my opponent in the general election was a sitting Congressman. That meant that when he issued a press release accusing me of a crime, a press release which, fortunately, the entire press of Utah laughed at, it was distributed by an employee who was on the Federal payroll, his press secretary. When he called the press conference to explain the reasons behind his attacks on me, the press conference was organized by the members of his staff who were paid employees.

When I had to respond to those charges, I had to pay my press secretary out of campaign funds. When I called press conferences to respond, I had to organize them with people who were paid out of campaign funds.

I have already spoken about the franking privilege and the number of newsletters that my opponent sent out. He said, "Oh, no, I did not violate the law. I did not send any of those out after I had announced for the Senate." But as I said earlier this morning, he made up his mind to run for the Senate months before he announced and his mailings went out in that period when he had full knowledge that he intended to run for the Senate. But because he had delayed his public announcement he could legally spend taxpayer dollars to send his literature not only to members of his own congressional district but we had people who came into our headquarters carrying letters from addresses outside his congressional district.

His response was that that was a clerical error, that there was no intention to send letters outside his congressional district. Nonetheless, his congressional district, prior to redistricting, constituted more than a third of the State, and that district alone, the most populous, the center of the media in the State of Utah, gave him a significant advantage in terms of name recognition and effort.

I had to respond to that with money that was raised in campaign funds.

So it goes. When we wanted to research an issue, they attacked me: "You do not understand the issue of wilderness; you do not understand the issue of wetlands; where do you stand on wild and scenic rivers?"

I did not know. I had to hire a researcher to research these issues and give me the equivalent of a staff.

My opponent very wisely, from his point of view, sent out a packet that

was, I do not know, a quarter of an inch to a half an inch thick stapled together. Very nicely done. It said, "These are the positions that I have taken in the years I have been in Congress. Every single vote. Tell me how you would have voted on every one of these issues." It was a wise political thing for him to do. It made me look ill-prepared by comparison because there were a whole bunch of things in there I had never heard of. I could not respond to intelligently.

That packet was put together with public funds, with people who are on the public payroll, the members of his staff over the period of years he had put that record together. And he had put that together.

There was a significant advantage to him by virtue of public funds being expended in ways that were advantageous to his campaign.

I wish to make it very clear I am not accusing him of doing anything improper. I am not accusing him of doing anything that in any way would reflect badly upon his character. He was a full-time Congressman. He was immersed in these issues full time. I realized that he had every reason to draw upon the appropriate staff that the taxpayers provided for him.

I am not suggesting that that staff was excessive. A Congressman carries very heavy burdens and he needs the kind of staff support that was involved. But I am suggesting that it was, in the context of a political campaign, a great advantage for him to have.

If we want to level the playing field in the way that we have heard in this Chamber over and over again in the debate on this bill, my amendment is one way to do it. It will say, OK, Federal funds will be available to level the playing field, but only for challengers.

I have included in the amendment a provision that was in the amendment I offered earlier, for the same reasons that I offered it earlier; that is, that this would only be available to challengers for two elections so that people could not make a career out of running for office like the individual I described earlier.

I will not burden the Senate by repeating that description. But I was gratified by the fact that four Members of the opposition party joined with me in my amendment to say that people should not be allowed to repeatedly draw on Federal funds to run for office again and again and again to the point that it becomes a career.

So I have added that to the amendment that I have offered.

Mr. President, I will not belabor the matter further. I yield to my friend from Kentucky.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. I say to my friend from Utah, Mr. President, the notion that challengers be given additional as-

sistance is not at all inconsistent with the thinking of a number of people who follow these kinds of issues across the country. I have said repeatedly on this floor, will say again today, that there are almost no scholars anywhere in America who support spending limits. But there are a number of political scientists across the country who, while opposing spending limits, do in fact favor taxpayer funding.

In other words, a floor but not a ceiling because A, they know the ceiling does not work, and B, is very likely to be unconstitutional, particularly crafted the way this one is.

But these are people who do not oppose, as the Senator from Utah and I do, using some tax dollars in the process, and their judgment frequently is that without the influx of some public dollars the challengers do not have a chance.

I previously, in debates on this bill which seem to go on endlessly, offered amendments that will allow the parties to provide—as you know under current law there is a statutory limit on what a party can distribute to a candidate. Each senatorial committee can give X amount or spend it on behalf of the candidate of their party in given States based on the size of the population of the State in both parties. Both parties can do that. I offered the amendment previously—defeated on a party-line vote—that would grant the parties additional authorized spending on behalf of challengers only. And the party that controls this body, the party that has the most incumbents in this body, voted that down along a party-line vote.

I would say to my friend from Utah the notion that if we have to have tax dollars, which the Senator from Utah opposes and I oppose, but if we were so unfortunate as to lose this issue and this bill actually became law, it seems to this Senator that why not, if the name of the game is to help the challenger, level the playing field, provide that floor if you will, that jump start if you will, of taxpayers' dollars on any challenger, which helped level the playing field and even it up a little bit against all of the resources my friend was up against, and running against an incumbent that represented one-third of the State.

Mr. BENNETT. Mr. President, I confess that the idea for this amendment came entirely as a result of the debate on the floor, listening to Members of the majority party describe their motivation behind the support of this legislation. I listened, with some length, to the Senator from Delaware [Mr. BIDEN] who described his own experience as a challenger and the difficulties that he had, and who plead with us, in support for the bill as a whole, to give the challenger a break. He pointed out that one of the main reasons he won his challenge was that he was an oddity. He

said he was too young to be in the Senate. He had not yet reached the constitutional age of 30. Therefore, he would be billed throughout the State of Delaware as the youngest Senator in history. Whether that is in fact true or not, I do not know. I remember Senator Long from Louisiana, who was appointed a Senator at age 29 and had to wait for his 30th birthday to take his seat.

Nonetheless, the Senator from Delaware was able to make something of a publicity gimmick out of his age, and he said, "That gave me an advantage that allowed me to overcome the normal circumstances that says challengers never win." He said, "Let us level the playing field," again and again, using his own experience as an example. I listened with great interest, because I have great affection for the Senator from Delaware for a variety of personal reasons. I listened with great interest, and it was out of that discussion that the idea for this amendment came; that if indeed we wish to do as the Senator from Delaware pleaded with us to do, we should do so straightforwardly and say: All right, you are right, Senator, incumbents do have an advantage in fundraising; you are right, incumbents do have leverage that challengers do not have; you are right, incumbents do have the deck stacked in their favor. Then I remembered all of the circumstances I described, running against an incumbent Congressman, and I decided if you are serious, perhaps I should offer an amendment that would say that public funding is available to challengers only. That is the genesis of this amendment—the debate right here on this floor.

Mr. MCCONNELL. I say to my friend from Utah, not only does a vote for the Bennett amendment not mean that the Senators voting for it favor taxpayer funding, because the Senator from Utah clearly does not and the Senator from Kentucky does not. The additional argument could also be made that, in fact, we will spend less money that way. We have to spend some of the taxpayers' money; at least let us not spend as much of it.

We have squandered \$750 million on the Presidential system to date, taking it away from deficit reduction and from child immunization; we have squandered \$750 million. At least with the adoption of the amendment of the Senator from Utah, we will not spend as much, and we will spend it on those who everybody seems to have the greatest sympathy for in this body—particularly those in the majority who have the most incumbents—and that is the challenger.

Mr. BENNETT. Mr. President, I just make one further observation. I have been standing here speaking of my own circumstances as a challenger. But my memory does go back to what really

got me involved in politics as a young man in his twenties, when I was managing a senatorial campaign for my father, who was the incumbent.

In 1962, it was a fair fight, because the challenger in those circumstances was an incumbent Congressman, and it was his congressional staff pitted against my father's congressional staff, and our campaign staffs were very, very small. As a matter of fact, it seems incredible in today's world. I was the only full-time employee of that campaign for many, many months. It was not until we went beyond the primary that we decided to bring on board a secretary, and we added a few others. I was the only full-time employee for many, many months, and there were no outside consultants and all of the other trappings that go with senatorial campaigns today.

Six years later, I returned to the State to manage my father's last campaign for the Senate in 1968, and this time we had a challenger who was a State official, not a Federal official. I saw the full weight of the circumstance I have described, only from the other side. We would take great glee in demanding his opinion on this issue or that, knowing full well he did not have the staff to give us any kind of an intelligent answer. We would bring to bear the full weight of the senatorial office in scheduling. The Senator could be invited to public events, which the challenger can only hope to show up at and sort of wave his hand in the background. The Senator can show up to cut ribbons, and can show up to dedicate plants.

I will confess, as the manager of that campaign, I took every possible advantage of that circumstance. When it was all over, our poor challenger kind of looked at us and said: I had no hope at all against the full weight of all of the Senator's staff out here giving us the full court press in the campaign.

So I have seen it from both sides—as a challenger who had to fight against somebody who had that kind of advantage, and as a manager of a campaign who had the advantage. And that is why I think the amendment I have offered fits not only the spirit of what is being said in this debate by those who are in support of the bill, but fits the reality of what goes on in politics as with those of us who compete in the political arena.

Mr. MCCONNELL. Let me just say, finally, that as this Senator interprets the Bennett amendment, at the risk of being repetitious, a vote for the amendment is not for taxpayer funding of elections. A vote for the Bennett amendment is, in fact, ensuring that fewer tax dollars will be spent, and those taxpayer dollars that are spent will be spent on the neediest of the candidates—that is, the challenger.

So I commend the Senator from Utah for his amendment. I certainly hope

the Senate will support it. After all, the principal reason both sides have been arguing—or at least the side supporting the bill has been arguing that we ought to pass it, level the playing field, and give the poor challenger a chance. Senator BENNETT has crafted this amendment in a way that helps challengers.

Mr. President, I yield the floor.

Mr. FORD addressed the Chair.

The PRESIDING OFFICER (Mr. MATHEWS). The Senator from Kentucky is recognized.

Mr. FORD. Mr. President, it is amazing how we can get so righteous. We just heard almost a sermon of why we ought to have campaign finance reform. You talked about your own experience, Senator, about how you overwhelmed the challenger, and he did not have a chance. You asked him questions about issues, and he did not have a staff to research. You had all of the money; you had all of the ability; you had the franking privilege; you had all of these things. We are trying to say that it is time to help that poor fellow, as you said, who did not have a chance. So we want to give him a chance.

But, at the same time, we ought to have an equal opportunity. I think if we equalize that, we will be talking about big issues instead of big money. We can talk about everybody's campaign. You can loan your campaign \$200,000—that is fine—and get it repaid.

That is fine. You come out with a million dollars in debt. You know you will be able to pay that off. Just write a check. That is fine.

My friend sitting here knows Senators spent as high as \$10 million or \$12 million of their own money to run.

You talk about being overwhelmed. You do not have to worry about campaign funding. You talk about Ross Perot. He is not going to get on this piddling money. He can come back. Sure, that is hypothetical. But with the kind of money Ross Perot spends, you know, and the kind of money he apparently has, he would not piddle around with a couple million dollars. I do not know what State he would run in under the circumstances. It might be Texas. He might be carpet bagging some other State. It depends on who he thought he could beat.

I do not think Ross Perot is going to worry about public financing. He is not going to worry about anything.

I wonder about these elaborate campaign committees—Republican senatorial campaign committee and Democratic senatorial campaign committee. They researched your opponent from A to Z. They sent you a book on issues. They sent you the votes, every vote, if your opponent has been in the House or the Senate. They sent him a copy of every vote made. You can take advantage of that. That was not something that you had to hire a staff for. It is already there. That is more money.

So we talk about the money chase. Well, you just encouraged the money chase. If you just limit the funding to the challenger, the challenger does not want it. So he has plenty of money personally, so he does not care whether you give him any money or not or he limits the spending. So you force the incumbent then to chase money. Four million dollars was the average last time.

My friend here says that the spending in races went down, but he admitted why they went down, because you did not have as many candidates. It went up in 1992. All over the place they went up. Then you say you are going to raise most of your own in the last 2 years of the 6-year term. If you do that, then you are raising, I guess, \$5,000 a day, 7 days a week, for 2 years. Where are you on Monday and Friday? "Do not have votes on Monday, because we are out chasing money. Do not have votes on Friday; I have to get to California or Florida or Chicago or some other place to raise money." So that is what it is all about.

So, it means that somewhere along the way we have to find a way. I thought not being an attorney it helps me some. I could make legal opinions and they are not worth the paper they are written on. That is like others. An attorney can write you an opinion that is not worth the paper it is written on until the court says it is.

So we are going to have the court one of these days. I hear about this big poll on April 15. That is fine. You know, I never heard a complaint for the last 12 years about taking public financing. Give me one iota of complaint about taking public financing in a Presidential race? Where is one? The past President took almost \$200 million in three races as public financing.

Mr. MCCONNELL. Mr. President, will the Senator yield on that point?

Mr. FORD. I am glad to yield.

Mr. MCCONNELL. Only, I say to my friend, on the question of accepting public funding in Presidential races, every candidate who considers running for President is confronted with the following reality: He can reject the spending limits, but then he must raise money at \$1,000 a contribution. The subsidy is so generous in a Presidential race that even candidates like Ronald Reagan, who did not like taxpayer funding, as a practical matter, knew they would have to start 3 or 4 years in advance to have any chance at a \$1,000 limit to raise as much as the publicly funded opponent.

I will say this for the Presidential system, there is one thing you can say for it, I say to my friend from Kentucky, it is constitutional.

We could make this bill constitutional by increasing the funding and eliminating the punitive aspects of the bill. I wonder if my friend would be open to curing the constitutional prob-

lems of this bill and providing full public funding and make it truly voluntary like the Presidential system.

Mr. FORD. My friend has been opposed to increasing the amount of the checkoff, and he says the taxpayers will not check off, so we find ourselves in a not very good situation as relates to funding. But he has already said he is going to be the first one in line to file suit against this bill if it becomes law.

I do not know whether that cures it all or not. I am not a lawyer. So I have to ask a lawyer, if I can, if that would make this bill totally constitutional because every amendment we put in here, including the amendment of the Senator from Florida, the Graham amendment, is accused of making the bill unconstitutional. Every amendment we put on is going to be unconstitutional. That is something I still say is for the courts. That is a statement that you believe that it is unconstitutional.

The Senator from Washington made a statement here that he had not researched the Buckley versus Valeo decision, and so, therefore, he could not say whether this bill actually was unconstitutional based on that Supreme Court decision. He was forthright about it. He researched it. He is a good lawyer, a thoughtful lawyer, his intellect is high, and I would have to say that I would listen to his statement.

But until the final analysis of the Court, we can say everything we want to say about it being unconstitutional, but until the Court says it is, it is not. We will have to comply with the law unless we get a restraining order when it passes.

Everybody said enjoy public funding and they are just playing by the rules. Well, I always like to play by the rules, but some do not have to.

There was a fellow who ran from Texas who raised \$15 million or \$18 million, I think, as a Republican to change from a Democrat to a Republican, and he went out on the open market. He refused to take any public funding. I think he got one delegate vote at the national convention.

It depends on a lot of things. You may have a lot of money.

Mr. Perot may spend a couple hundred million dollars, but he may not win.

Sometimes you overwhelm people and the underdog wins. You understand—and I see some Senators nodding their heads. Underdogs have an opportunity to win. Playing by the rules is an argument made to justify taking public funds. But when you take almost \$200 million, without a complaint, without a disclaimer, that is taxpayers' dollars, there is no disclaimer on that. You have to put it on when you have a radio ad. The candidate has to come on and say "The following is paid for by," and I think that is appropriate.

The rules are not to take public money. The present rules are a candidate can take public money or not, and that is a voluntary choice of the candidate. If you have plenty of money, you do not have to worry about this bill. Go on and do it.

We had a fellow who ran for Governor at home who said, "whatever it takes, there is a blank check. Take it. And whatever the money you need, there is a blank check." He won. He had a good-looking wife that went out and campaigned. They all thought more of her than they did of him. They would draw a crowd and had plenty of money. And he just blasted everybody out. He said: "Here is a blank check. You fill in whatever you need. We will take it."

The others had to go out and raise it \$100 a lick, \$25 a lick. They had a hard time keeping up.

So money is the problem here. The money chase is the problem. You know, we have a lot of intelligent, worthwhile, young people, family members doing well, leading an honest life that would like to get into politics. When people come out and overwhelm them with money, they do not have a chance. So what we are trying to do here is to give those kinds of people, male or female, man or woman, an opportunity to run.

I know as to the money that comes to candidates they do not even know where it came from. They pull the trigger on the Ducks or the Eagles, or something, and the checks start coming in, and you have to hire extra help to add the checks up to deposit them in the bank.

Mr. BENNETT. Mr. President, will the Senator yield?

Mr. FORD. I am always tickled to yield to my friend from Utah.

Mr. BENNETT. I am honored.

Mr. FORD. If I may address the Chair for a minute, I like the Senator from Utah. We get along well. I enjoy my service with him on the Energy Committee.

Mr. BENNETT. I thank the Senator for his kind remarks, and I reciprocate them fully.

The Senator just described how much we ought to help these young people who are earning a decent living and want to get into politics but cannot because they are overwhelmed with money. It sounds to me like an argument in favor of my amendment, and I would like the Senator to describe why he would oppose my amendment in view of what he has just said.

(Mr. WELLSTONE assumed the chair.)

Mr. FORD. Well, because you force, then, the incumbent to chase money. And what I am trying to do here is give the challenger an opportunity, but to reduce the money chase by the incumbent.

I say to the Senator, the average Senate race in 1992 was approximately

\$4 million. However you can cut it, that is a lot of money, and that is a lot of time spent away from here trying to raise money. You do not raise all that money in your own State.

Mr. BENNETT. You do not in the State of Utah.

Mr. FORD. That is right. You do not in the State of Kentucky, unless you get the President to come down and have a big fundraiser. That usually attracts some attention, and that is as an incumbent.

So I was just saying, you force us, by this amendment, to chase the money. We have to go out and raise it and others do not.

So I would just say to my friend, his heart is right. He wants to help the challengers. That is what we are trying to do here. But you are forcing the incumbent—the next time you run, we are trying to keep you from having to go out and chase that money.

Now, you may have enough money on your own that you do not have to worry about it. I do not know the Senator's financial status. But you may be able to write that blank check.

Mr. BENNETT. I have been accused of that.

Mr. FORD. Well, I did not know the Senator has been accused of that. But, listen, being accused of having money is not all bad.

Mr. BENNETT. As I said to the man who accused me, "I am sorry if it offends you, but I am not going to give it back."

Mr. FORD. I understand that.

But the point I am making to the Senator is that this is a two-edged sword, or two sides of the coin; where you are giving some funding to an incumbent, then you force the other side to chase the money.

What I would like to do is to level the playing field. We have heard so much about that. I think sometimes the level playing field is 75 yards instead of 100, or it may be 50 yards instead of 100. But I would like for it at least to be equal.

And so, I say to my friend, that is the reason I think I will have to oppose his amendment.

Mr. BENNETT. I thank the Senator.

Mr. FORD. Mr. President, we have a lot of candidates that raise in excess of \$6 million, \$7 million, and then put in more than that of their own money.

Ninety-eight percent of a \$10 million campaign was put in by an individual. Now, somehow or another, as our distinguished friend from South Carolina, Senator HOLLINGS, has said in offering his sense-of-the-Senate resolution to amend the Constitution so we could go ahead and get it, that individual has \$10 million and his opponent has \$1 million.

Talk about free speech. The fellow who has \$10 million worth of campaign has 10 times the amount of free speech as the challenger. And so we talk about

free speech. Money gives the free speech. Money puts him on television. Money puts him on radio.

And we are not debating the issues. We are having negative campaigns. Madison Avenue is getting rich developing negative campaigns. It started here about 12 years ago. The fellow—I am not sure I can quote him exactly, but he was accused of misrepresenting the facts in an ad they put out on an independent expenditure. And the director said it did not make any difference whether they told the truth or not, as long as it helped his candidate.

And so, there we are. The more money you get, the more ads like that you can put on the TV.

I hear that the more money you have, the better race it is. Well, I am not sure that more money makes a better political campaign.

So, Mr. President, I hope that my colleagues will not vote for this. I wish there were some way we could work it out. But what we are trying to do is make it equal and keep both sides, on a voluntary basis, not out money chasing.

I know I have spoken too long, and I left myself open for some constitutional questions. I will be accused of saying that what I am talking about is unconstitutional or does not work.

All I am trying to do is find a way to make it reasonably fair. And if I am correct, the courts said you have to have some form—some form—of public financing in order to make it work.

So in this life, you have to have a carrot and a stick. You raise your family with a carrot and a stick. If they do something that they are supposed to do, you give them a carrot. If they do something they should not do, you give them a spanking. That is the way you raise your family. That is what this bill is. It is the way you raise your family. And that is the way we are trying to put this piece of legislation together.

So the money chase was alive and well in 1992, and it will be alive and well unless this bill passes. Because, with the amendment of the Senator from Arizona on it, it applies to this election. It starts now, not in 1995. It starts now, if the Senator's amendment stays in the bill.

So we are looking at an average of three Senate incumbents last time who raised the most money. They raised contributions in the last 2 years of their campaign at the rate of \$262,500 a month.

That is money chase, Mr. President—\$262,500. That is money chase. That is campaigning based on money chase.

And if you get enough money, you can get on TV. That is, in the last 2 years, \$60,577 each week; \$8,630 each day, 7 days a week, 12 months a year, for 2 years. That is money chase.

Now, if you want to challenge those figures, they came from FEC.

We are going to hear another editorial—I have never heard so many editorials being read. I guess you just have somebody looking for editorials of people that are not necessarily for this.

I cannot understand why they would not want this. I guess the newspapers are a little concerned and television is a little concerned that they will not get all the money that they are usually getting during a campaign. Maybe that is a business reason to be against this bill: Because they will not have as much television, will not have as much radio, will not have as much newspaper ads. Maybe that is the reason.

I do not want to accuse them of that, but it does sound as if it is a business decision to be against this bill because we are going to try to limit spending in a campaign.

Just think about it now, just for a minute—and I am going to quit; I probably should have quit sooner—but \$262,000 a month raised by a Senator for reelection, an incumbent, comes to \$60,577 a week. It means \$8,630 a day that we are away from here chasing money, and we ought to be here tending the people's business.

I hope, Mr. President, that somehow we can find a way to reduce the cost of campaigning.

I believe it was the Presiding Officer who said, "Let's have big issues, instead of big money. Let's discuss and debate the issues, instead of going out and chasing money."

I hope, at some point, hopefully maybe this week, we can get down to a vote. And if we can, why, that is well and good.

I yield the floor.

Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The junior Senator from Kentucky.

Mr. McCONNELL. Mr. President, we should be able to vote on the Bennett amendment shortly. I will just make a couple of observations.

I will say to my good friend from Kentucky, I will not rehash the constitutional argument. I think the case is rather clear.

But with regard to the so-called money chase, I think the statistics are apparent. Eighty percent of the money raised by U.S. Senators, they raise in the last 2 years.

I do not know who these Senators are neglecting their duties to raise money. I have asked, on a number of different days during the course of this debate, if they would come over and confess. Who are these people who are neglecting their duties in the Senate?

Mr. FORD. Mr. President, will the Senator yield?

Mr. McCONNELL. Not yet. I will, shortly.

Mr. FORD. All I want to do is talk about Mondays and Fridays and no votes.

Mr. McCONNELL. I would say, Mr. President, the Senate could well be in

session from Monday to Friday, that is a leadership decision. If people are allowing the raising of money during the last 2 years of their term to interfere with their Senate duties, I think they ought to be ashamed of themselves, ought to fess up, and take the cure. And the cure is nobody makes you do it. Nobody makes you do it. That is an entirely curable problem if, in fact, it exists.

Also, the argument is periodically made that because we have a generously funded Presidential system that is taxpayer funded, that eliminates anybody arguing against the congressional system. And because a candidate may have found it irresistible to accept the huge subsidy offered for Presidential candidates, he is somehow estopped from complaining about extending it further.

That is about like saying because the House has a bank, the Senate ought to have a bank.

My colleague from Kentucky rejected that. Somebody approached him a couple of years ago, former Members of the House, and said we ought to have a Senate bank. He said it is a bad idea. We should not have a Senate bank. That pretty well illustrates that just because the House has a bank the Senate does not have to have a bank, and just because the Presidential system is squandering millions of taxpayers' dollars on an inadequate, incompetent system that is not holding down spending, it does not mean we ought to extend that to an additional 535 races. Just because the Presidential system has taxpayer funding, it does not mean the congressional system ought to have it.

We do not need to have replicated in 535 additional races the kind of stuff that has gone on in the Presidential system. I take just one fringe candidate, for example, Lenora Fulani. Adding 1984, 1988, and 1992, the taxpayers have generously given to Lenora Fulani \$3.5 million to express herself.

Can you imagine to extend that system to 535 additional races? Why, every fringe candidate in America whoever looked in the mirror and said, "By golly, I think I see a Congressman," is going to reach into the cookie jar and get some of that tax money to run for office.

On the issue of spending, I do not know where the notion began that the spending of money, provided it comes, as it must come under existing law in the congressional system, in limited and disclosed amounts from a whole lot of people—and I remind everybody before you spend a lot you have to raise a lot from a whole lot of people, and statistics already conclusively prove that raising of money is only done at the end of the 6-year term. Eighty percent of the money comes in the last 2 years as Senators decide, "By golly, I

may have a contest. I better get my act together here and be prepared." So they begin to prepare in the last 2 years.

But where did we ever get the notion that the spending of money contributed by others to candidates of their choice in limited, disclosable amounts somehow offends the process?

The John F. Kennedy School at Harvard, a bastion of liberalism back in 1979—and this is a good study, because the cost of campaigns had increased more dramatically from 1972 to 1979 than at any time since—this study group made up largely of liberals took a look at the issue. In 1979—again, a period during which spending had gone up much more rapidly than it has in any comparable period since then—these are some of the conclusions they reached. From the Committee on House Administration—this was testimony, I assume, before the Committee on House Administration, obviously in the U.S. House. The Institute of Politics, the John F. Kennedy School of government at Harvard, had this to say:

Much of the discussion which framed the enactment of the act—

Referring to the act under which we currently operate—

was animated by the belief that money in politics was somehow an evil force, at best a necessary evil. Quite to the contrary, the Study Group cannot emphasize strongly enough that there is nothing intrinsically wrong with campaign contributions and expenditures. Adequate campaign funds are essential to competitive congressional elections.

As a matter of fact, the Bennett amendment is saying that, to have more competitive elections, if we just have to spend tax dollars, let us spend it on challengers who have the biggest problems.

Every study based on the information available since 1972—

and this came out in 1979, a period during which spending went up more than at any time since.

Every study based on the information available since 1972 has shown that most campaigns have too little, not too much money.

Too little, not too much.

The most competitive elections where the voters have the most information about candidates are those in which the most money is spent. Election contests in which spending is comparatively high are also those on which voter participation tends to be the highest.

The study went on:

The costs of campaigning for Congress have been increasing markedly since 1972.

Again, this was looking at 1972, 1974, 1976, 1978.

Television spot time increased 64 percent in costs between 1972 and 1976, outstripping the Consumer Price Index and the growth in campaign resources. * * * The Federal Election Campaign Act has itself increased the costs of election campaigning in two ways. Costs of compliance with the act divert

scarce resources away from activities which involve communications with voters. And, more significantly, in strictly limiting the amounts of money that individuals can contribute to campaigns. * * *

The study went on:

Even if income were keeping pace with these rising costs, the average political campaign—

Now, bear in mind, this at the time when the increase in campaign spending was greater than the CPI, this liberal group at Harvard found:

Even if income were keeping pace with the rising costs, the average political campaign spends too little money, not too much. Contrary to popular impression, congressional campaigns spend surprisingly small sums. This fact becomes most glaringly evident when campaigning is compared to corporate advertising. * * * In a very real sense, electoral politics is in competition with corporate advertising for the attention of American citizens. Limited campaign funds often mean limited campaign activity, which, in turn, means a poorly informed and apathetic electorate.

This is the Kennedy Institute at Harvard, 1979, right after the largest increases in campaign spending. And their conclusion is, we were spending too little in campaigns and not too much.

Mr. GORTON. Will the Senator from Kentucky yield for a question and observation?

Mr. McCONNELL. I yield to my friend from Washington.

Mr. GORTON. Mr. President, I have listened with interest to these comments from the study, which preceded any of the statewide campaigns of either the Senator from Kentucky or the Senator from Washington, but find them in many respects to be valid. I am sure the Senator from Kentucky would share the experience of most Senators in this body of the frustration, the inability to get a message clearly across to the electorate in competition with so many other messages. So, in that respect, I appreciate and agree with the conclusions of the studies that the Senator has just read.

But this Senator wanted to deal with the same subject at another level. He listened to the senior Senator from Kentucky talk about the money chase, state how desirable it would be if Senators did not have to engage in such a chase. It struck this Senator, who would like the comments from the junior Senator from Kentucky, that another huge subsidy from the taxpayers to make the lives of Members of Congress easier, softer, and less contentious, is not, in the observation of this Senator, necessarily a good thing for the characters of people who serve in this body or seek to serve in this body.

Would the Senator from Kentucky agree with me that, perhaps, it is not an entirely bad idea for people who are treated as we are in this body to have to go hat in hand to their constituents every now and then, to have to justify

their existence and their position, to have to determine whether or not there is a sufficient degree of support among their own constituents to allow them to run a campaign effectively? Is that necessarily a bad thing for the character of Senators or for Representatives? Or may it not, from time to time, contribute to their understanding of the problems faced by the very constituents they seek to represent?

Mr. McCONNELL. I say to my friend from Washington, we do not own these seats. We do not own these seats. This is not a lifetime appointment. The thought that we should somehow make our lives easier, that we should have to work less—

Mr. GORTON. At the expense of the taxpayers.

Mr. McCONNELL. At the expense of the taxpayers is, I find, an astonishing conclusion to reach and one which, when presented to the American people, makes them angry; I mean very angry, the thought that we would, this Government which has run up this \$4 trillion debt, would now ask them at a time when the President is asking us to enact the largest tax increase in history, makes our lives easier at their expense. It is an astonishing suggestion, a truly mind-boggling suggestion.

I said—I do not know whether the Senator from Washington was here earlier—nobody makes us raise this money. We do not have to do it. We certainly do not have to do it on Mondays and Fridays. I have not had anybody yet come over here and confess that they are neglecting Senate duties to pursue contributions.

And the notion that Senators are somehow for sale, that they are selling influence because they raise money from regular folks in limited and disclosed amounts—my friend from Kentucky was pointing out the average cost of a Senate race. Obviously, to raise that kind of money, you have a whole lot of support with the limitations on both individual and PAC contributions. To raise a multimillion dollar fund, it has to come from a whole lot of big people. It is not possible anymore.

The Senator from Utah mentioned the Clement Stone contribution to the Nixon campaign and the Stewart Mott contribution to the McGovern campaign way back in 1972. You cannot do that anymore, not allowed in the congressional system, individual limit on donations, full disclosure. And so if a candidate is able to raise a substantial amount of money, he has a whole lot of support.

Let me ask my friend from Washington a question right back. What is offensive about asking people to support your candidacy, particularly with today's limits and disclosure?

Mr. GORTON. This Senator would answer that by saying as an individual, he would love to get rid of that activ-

ity, not to have to engage in it. But he is not sure that immunizing himself from having to go out and justify his existence would necessarily be a good thing for this individual or for any other Member or candidate.

Mr. McCONNELL. And it is true, I suggest to my friend from Washington, there are only two places the money can come from if we are going to have money in campaigns, and everybody believes you must have money in campaigns, absolutely must; it is the way you communicate through the mass media unless you are very fortunate to represent a very small State that is extremely compact and you can go out and shake hands and meet everybody, assuming the kind of exchanges when you shake hands is meaningful and in-depth. And my experience is they typically are not. It is, "Hey, how are you?"

But if there must be money in campaigns, there are only two places you can get it: You can get it from people who voluntarily give it to you because they sincerely like you, or they hate your opponent and they want to help you beat him, or take it out of the Treasury.

Mr. GORTON. No, there is a third way. The third way is one which has been successful for a number of Members of this body and that is, you can end up with a body representing almost entirely multimillionaires who simply spend their own money which, under the Constitution, they can spend in unlimited amounts on their campaigns.

Mr. McCONNELL. I say to my friend from Washington, does he share my view that the propensity of people of great wealth to spend it on political races would ironically be enhanced by the passage of S. 3?

Mr. GORTON. This Senator has no doubt.

Mr. McCONNELL. Absolutely, because it would no longer be possible, particularly if a candidate were an unknown, to adequately become known and get the message out with the limits on speech contained in the underlying bill.

Mr. GORTON. And then the irony of this bill is that if some extremely wealthy individual does that, the taxpayers are then forced to add the taxpayer subsidy to any and all opponents who come up in that race, is that not correct, the Senator asks the Senator from Kentucky?

Mr. McCONNELL. You can get 100 percent more money from the taxpayers. But at some point against a very wealthy campaign it really becomes irrelevant because the wealthy candidate just keeps on going.

Mr. GORTON. I thank the Senator.

Mr. McCONNELL. Mr. President, I see our friend from Utah is back on the floor. As far as I am concerned, I have nothing further to say on the Bennett amendment. I wonder if he would like to sum up before we move to vote.

Mr. BENNETT addressed the Chair.
The PRESIDING OFFICER. The Senator from Utah.

Mr. BENNETT. Mr. President, I have nothing further to add to the basic notion that we are trying to respond to the pleas of those who are saying let us level the playing field by saying public funding will be reserved for challengers only, except to remind the Senate once more that this amendment does contain the provision of the previous amendment that would say that a challenger could not earn a living by constantly running and constantly being paid for running, which is the way the thing is in the bill now.

I was delighted to receive the support of four members of the party in power for my previous amendment. I hope we get maybe six on this amendment and put it into the bill.

I yield back any further time.

Mr. MCCONNELL. Mr. President, I ask for the yeas and nays on the Bennett amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. FORD. Mr. President, we have the yeas and nays, but that does not mean you go to a vote.

Mr. President, I want to correct something here. You have to raise so much money before you get money. So it is going to be difficult to raise 50 percent of the threshold in the State. That is a fallacy, I think, in trying to make a living off of running for office. So if you are going to be a habitual candidate, you are not going to raise much money. I can give you two or three names of people in Kentucky who run for something every year because it is every year we have race in Kentucky and they put their name on the ballot; 20 bucks and they are on. But they do not get anything. They do not get anywhere.

If you have a habitual candidate like that, they have to raise 50 percent from small givers. We have a threshold. So just saying you are going to make a living off of the taxpayers by running for political office is stretching it just a little. It is about like telling how big the fish was you caught. So I think there is a little bit more to this bill than running and making a living off of it.

Oh, I understand where we are coming from and I understand what we are trying to do here is to continue the money chase. And I will say to my friend that the biggest problem of the two leaders on each side is they have their colleagues coming to them saying, "Do we have to have a vote Monday? I've got to be somewhere. I prefer not to have a vote. I prefer to get out of here by noon on Friday." Better still, get through Thursday night so you do not have to be here Friday.

Sure, they perform their duties on Tuesday, Wednesday, and Thursday, but they ask the leaders not to have votes. The leverage is to get done on Thursday night so you can leave on Friday. So we stay in late on Thursday. That is our late night, and it is done because the Senators need to get out of here and raise the money: \$5,000 a day, 7 days a week, 52 weeks a year for 2 years you raise that kind of money. So the money chase is answered.

Mr. President, I move to table the amendment by the Senator from Utah, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FORD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there further debate on the amendment?

If not, the question is on agreeing to the motion to table the amendment No. 399. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Montana [Mr. BAUCUS], the Senator from South Carolina [Mr. HOLINGS], and the Senator from Georgia [Mr. NUNN] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Georgia [Mr. COVERDELL], the Senator New Mexico [Mr. DOMENICI], the Senator from Oregon [Mr. HATFIELD], and the Senator from Alaska [Mr. MURKOWSKI] are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote "nay."

The PRESIDING OFFICER (Mrs. FEINSTEIN). Are there any others Senators in the Chamber who desire to vote?

The result was announced—yeas 53, nays 40, as follows:

[Rollcall Vote No. 141 Leg.]

YEAS—53

Akaka	Feinstein	Metzenbaum
Biden	Ford	Mikulski
Bingaman	Glenn	Mitchell
Boren	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Bradley	Heflin	Murray
Breaux	Inouye	Pell
Bryan	Johnston	Pryor
Bumpers	Kennedy	Reid
Byrd	Kerrey	Riegle
Campbell	Kerry	Robb
Conrad	Kohl	Rockefeller
Daschle	Krueger	Sarbanes
DeConcini	Lautenberg	Sasser
Dodd	Leahy	Simon
Dorgan	Levin	Wellstone
Exon	Lieberman	Wofford
Feingold	Mathews	

NAYS—40

Bennett	Gorton	Nickles
Bond	Gramm	Packwood
Brown	Grassley	Pressler
Burns	Gregg	Roth
Chafee	Hatch	Shelby
Coats	Helms	Simpson
Cochran	Jeffords	Smith
Cohen	Kassebaum	Specter
Craig	Kempthorne	Stevens
D'Amato	Lott	Thurmond
Danforth	Lugar	Wallop
Doile	Mack	Warner
Durenberger	McCain	
Faircloth	McConnell	

NOT VOTING—7

Baucus	Hatfield	Nunn
Coverdell	Hollings	
Domenici	Murkowski	

So the motion to table the amendment (No. 399) was agreed to.

Mr. FORD. Madam President, I move to reconsider the vote.

Mr. INOUE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. FORD. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 400 TO AMENDMENT NO. 366

(Purpose: To strike the exclusion of legal and accounting compliance funds from the general election expenditure limit)

Mr. MCCONNELL. Madam President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 400.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 7, line 6, strike "(c), (d), and (e)" and insert "(c) and (d)".

On page 13, strike line 19 and all that follows through page 16, line 15.

On page 16, line 16, strike "(d)" and insert "(c)".

On page 16, line 20, strike "(e)" and insert "(d)".

On page 17 strike "(f)" and insert "(e)".

On page 50, line 11, strike "amounts—" and all that follows through "(B)" on line 14 and insert "amounts".

Mr. MCCONNELL. Madam President, it was not so long ago that some people were saying: "The House has its own bank. Why cannot the Senate have one, too?" Of course no one seems to be saying that nowadays, at least not very loudly.

But people are voicing the same sentiment when they speak in favor of this

bill. Frequently, we hear the argument Presidential candidates get taxpayer dollars to run for office; why not Senate candidates, too? It is the same old human motivation. We want what other folks have. They have a bank; so give us a bank. They get taxpayer dollars; we want taxpayer dollars, too.

However, Madam President, we should be asking ourselves whether we really want to duplicate the Presidential election system in all 535 congressional races across the country. By almost any objective measure, the Presidential election system has been a total disaster. Spending has increased far more quickly than in congressional elections where there are no spending limits. Every candidate but one has been nailed for violating the laws, usually inadvertently. An ocean of soft money, both party and nonparty, has made an absolute mockery of the limits in the system. Third party candidates siphon millions of dollars from the Treasury to promote their egos as well as their bizarre ideas. The Presidential system, in fact, is not reform; it is legislated corruption.

One other ridiculous feature of the Presidential system that has been incorporated into this bill is the spending limits exemption—the spending limits exemption, I repeat—for legal and accounting expenses. In this context exemption is just a polite word for loophole, a loophole large enough to drive a truck full of lawyers and accountants through.

C-SPAN viewers may be asking themselves why do we need an exemption for legal and accounting expenses? Well, the answer, I would say, is clear if you look at the Presidential system where this loophole has been exploited to great effect. Under the Presidential system, roughly \$1 in \$4 can be allocated for the unimpeachable purpose of compliance costs, in other words, complying with the law.

What this really means, Madam President, quite frankly, is hiring squadrons of lawyers and accountants to find ingenious ways to get around the limits. To put it more simply, these compliance costs help candidates to not comply with the law without violating the actual letter of the statute.

Welcome to the wonderful world of campaign finance doublespeak where spending limits actually increase spending, where reform actually encourages unlimited special interest spending, and where compliance costs are used to evade the law. That is the essence of the Presidential system which this bill uses as a model.

Let us take a look at the legal gobbledygook which defines what legal and accounting expenses are under this bill and how they are exempted from the spending limits.

Madam President, we turn to section 502(C)(3) subparagraph (a) to find that

qualified legal and accounting expenditures are expenses incurred in connection with "any"—any—"administrative or court proceeding initiated pursuant to the act or in the preparation of any documents or reports required by the act."

Let us go over that one more time to make sure we got it right. When we turn to section 502(C)(3) subparagraph (a) we find that qualified legal and accounting expenditures are expenses incurred in connection with—now listen to this—"any administrative or court proceeding initiated pursuant to this act"—you would sort of expect that—"or in the preparation of any documents or reports required by the act."

That is clear enough.

Now we turn to subparagraph (b) which further defines qualified legal and accounting expenditures as "any money spent in the general election for which the legal and accounting compliance fund was established to ensure compliance with this act."

What is this?

Let us go back and take a look at it again. Now we turn to subparagraph (b) which further defines qualified legal and accounting expenditures as "any money spent in the general election for which the legal and accounting compliance fund was established to ensure compliance with this act."

In other words, Madam President, if you spend money on lawyers and accountants who help you find ways around the law, that money is exempt from the limits contained in the law.

Makes a lot of sense. Or does it?

Proponents of this bill will have you know that this loophole is not opened. If you look at section 502(c)(2), subparagraph (C), you will find that the total amount of money that candidates are allowed to spend on lawyers and accountants is limited to the lesser of \$300,000 or 15 percent of the general election spending limit in the State where the candidate is running.

In other words, no matter what the size of your State from a population point of view, whether you have a few people as Montana or Alaska with one Congressman, even if it is that small, \$300,000 is added on top of the spending limit.

Now that is not the end of the story. Because if a candidate realizes he is going to need more lawyers and accountants after the election to explain to the FEC how he managed to legally evade the spending limits, he can petition the FEC under section 502(c)(4), subparagraph (A) for the right to hire more lawyers and accountants to defend his earlier peccadillos.

Does anyone still have their pencils on section 502(c)(4), subparagraph (A)?

Well, to quell any fears that this loophole will be abused, Heaven forbid, the provision gives the comforting assurance that the FEC's decision to allow spending for more lawyers and

accountants will be subject to judicial review under section 506, whatever that is.

Believe it or not, I have only begun to touch on the technical, legal morass that describes the loophole for legal and accounting expenses in this bill.

The amendment I am offering takes a much simpler, clearer approach to the problem. It strikes the whole provision exempting legal and accounting expenses from the spending limits in this bill; wipes out the loophole altogether.

If candidates are willing to put up with the silly bureaucratic maze this bill creates, if they are willing to put up with the silly bureaucratic maze this bill creates in order to get their hands on taxpayer money for their campaign, then let them do it by the book. No loophole for lawyers and accountants to help chart ways around the rules.

Even if spending limits were a good idea—which almost no objective scholar in this country believes—this bill does not contain spending limits. It contains spending sieves. It filters some money out, like small, disclosed contributions from hardworking Americans, and allows other money to pour in, like unlimited, undisclosed soft money from powerful organized special interest groups.

Madam President, this amendment is not going to cure the problem by a long shot. There is no fundamental cure for this bill. Nevertheless, it is an attempt to plug one tiny but significant loophole in this very leaky legislation.

And for those who have argued—and there have been a few who have argued in this body—that the spending limits are too high in this bill, well, this will lower them. This will take out the opportunity to raise at least an additional \$300,000 to pay lawyers and accountants to help a candidate defend whatever ways they came up with to skirt the spending limits in the bill.

So I would say to those Senators who think spending limits are a good idea and who think they are too high in this bill, they ought to support the McConnell amendment because it will, in fact, lower the spending limits, assuming you are naive enough to think anybody is going to comply with it. It will, at least on paper, do that and eliminate this rather large loophole through which, as I indicated earlier, you could drive a truckload of lawyers and accountants.

Madam President, I yield the floor.

Mr. BOREN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOREN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOREN. Madam President, I have now had an opportunity to look at the amendment of my colleague from Kentucky. I apologize that I was detained in some negotiations on the budget issues and other issues off the floor.

As I understand this amendment, as I read this amendment, it would strike what we call the compliance fund that is now included in the bill. This compliance fund is limited to the lesser amount of 15 percent of the spending limit or \$300,000, whichever is less.

I think, as all of us know, even under the current law as it is now, we must keep voluminous records. I think all of us believe on both sides of the aisle—and I have heard my colleague from Kentucky say in the past also that he believes in disclosure, making sure that we disclose the source of our money, how we operate, making sure we are complying with election laws, and to do that often requires the work of professionals.

For example, I know that each year my campaign committee must write a rather substantial check to a certified public accountant who goes over our records very, very carefully to make sure the funds are being spent in accordance with the law.

We also, from time to time, have expert consultants in the field of election law, who also look at our records and make sure that we are complying with every single provision of the law.

I think all of us worry constantly about complying with the law. None of us wants to find an inaccuracy in our campaign disclosure reports or any kind of expenditure that is not approved by the law or by the Senate Ethics Committee or by the Federal Election Commission. So most of us want to be very, very careful about operating in a legal manner. That is the purpose for this compliance fund, so that you can have a separate fund.

It is not going to be spent for campaigning. In fact, there is a prohibition in the bill that this compliance fund cannot be used. You cannot transfer money out of the compliance fund to buy television spots or newspaper ads or to make mass mailings or do other things. The compliance fund can only be used to pay for those expenses which are related to complying with the law—the financial requirements, the reporting requirements, and the rest.

Madam President, I think it would be a very grave mistake for us to take out the compliance fund. And in a way, the compliance fund is our message of encouragement to candidates, whether they are challengers or incumbents, to comply with all the laws.

Someone once said to me, "Well, what good would it do to pass all these laws and institute all these rules about campaigning in an honest, straightforward way, disclosing to the people where your money comes from, making sure you do not go around the law?"

We have accepted some amendments, I believe, from the Senator from Arizona and others, on misuse of campaign funds, to go out and buy yourself a bright, new red convertible, or something like that, or take trips off to some exotic place all with your campaign dollars, or to build a back porch on your house, or something else. We want to make sure funds are appropriately utilized and that they are fully disclosed to the American people.

So, as in making out tax returns, the committees must also file informational returns. Usually most campaigns now have at least one part-time person, sometimes a full-time person in large States, that is actually on salary of the campaign committee, who each day looks at the contributions, records those contributions, keep the records, keeps the bank accounts and the rest of it.

You have to pay withholding taxes, for example, on those employees.

So, fortunately or unfortunately, campaigning in this country—I think to some degree unfortunately. I think it has a lot to do with the amount of money that is being raised, as long as it is going to take \$4 million to run in the average small State.

Madam President, the distinguished occupant of the chair knows well, being from the State of California, that in large States it takes far more than \$4 million, unfortunately, to run a successful race for the U.S. Senate or for Governor or for other high offices. We have had contests in our country in which \$20 million, \$30 million has been spent between the two candidates running for statewide office in the larger, more populated States of this country.

When you get into a situation where millions of dollars are coming in to campaign committees, are being disbursed by campaign committees, you obviously are in a situation where you have a lot of recordkeeping, where you have taxes that have to be paid to employees, and where you really must have the professional help of attorneys, CPA's, and other professional staff members in order to make sure that you are complying with the law.

As I have said, I wish we were not in this situation. It is one of the reasons I am so strong for spending limits. Maybe we can finally get away from having those of us who run for office have to manage large sums of money in order to run for office; in essence, run a small business on the side through a campaign committee in order to participate in the election process. How sad that is. That is one of the reasons why I am strongly supporting this effort to limit the funding and the spending in campaigns, so we can get back to a better day in which that was not necessary.

I remember talking to my late father about this several times. He served as a Member of the Congress. He first ran

for the U.S. House of Representatives back in 1936. I remember talking with him about it. The idea that you had to have a full-time person looking over the money that was coming into your campaign, that you had to hire lawyers and CPA's to fill out disclosure forms because so much money was pouring into campaigns—he could hardly understand that.

I said, "Well, dad, you know, what kind of money did you spend running for Congress when you were running in the thirties and forties and so on?"

He said, "You know, sometimes we would spend \$3,000 or \$4,000 or \$5,000 running for Congress in a campaign. If you were lucky, maybe sometime somebody might give you a campaign contribution of \$100. That was an enormous contribution."

Things were healthier then. You reached the voters, campaigned in your home State, raised the money in your home State. I think that also was a better time. We had competition on the basis of character, on the basis of qualifications, on the basis of ideas. But because we are now in a situation where so much money is spent, there is such a need to then make sure that you operate in a legal and professional fashion. You do not want to have your campaign committee sued because you have not operated exactly as you should. That is another reason why we have a provision for legal fees to be included, along with CPA's and other professional fees in the compliance fund.

So, Madam President, I do not want to see us enact rules and regulations to have them flouted by people. If you do that you are just disadvantaging the people who do want to live by the rules and helping those who do not want to live by the rules. It is important we live by the rules and it is important, as we try to do in this bill, by the way, to give additional powers of enforcement to the Federal Election Commission. We have a provision that would break the tie that has existed between the three Democrats and three Republicans on the Federal Election Commission. If the General Counsel plus three members feel something should be referred to a court, it can be, and we now have a better mechanism for enforcing these rules.

But I think it would be a serious mistake to delete the compliance fund—the law and order fund, if you want to call it that—that fund that helps us make sure we are dealing honestly and running our campaigns in an honest and open fashion. I think that is something that should not be done. And, therefore, I oppose the amendment.

I want to make it clear, money from that compliance fund cannot be transferred over from your regular campaign accounts; it cannot be used to campaign, it cannot be used for any other purpose other than to assure that you

are openly and honestly complying with the provisions of law and meeting those particular expenses.

So, it can be carried over to your next election cycle, but if it is, it still can only be used for those purposes. You cannot ever invade that money and use it for other personal purposes or any other political purpose. It simply is there for compliance and for accounting and legal services and others. I think that is exactly what ought to be done.

So I have to oppose this amendment.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. EXON. Madam President, the Senator from Nebraska has not been prominently on the floor with regard to the legislation before us. I have been prominently on the floor in past efforts to have campaign reform, which I think is fundamentally necessary, take place.

The Senator from Nebraska has been working behind the scenes with several Senators to come up with some kind of a compromise. I have worked diligently on this matter, I think the chairman, the Senator from Oklahoma, knows, from the very beginning. I was with him as one of the earliest supporters of campaign reform, because I think it is fundamentally necessary.

I still think it is fundamentally necessary. I would like to explain at this time that, while I have an amendment I intend to offer at an appropriate time, unless something can be worked out to my satisfaction—I simply say I am somewhat discouraged by the turn of events over the last several years, as one who has been in the forefront in an effort to bring about meaningful campaign reform.

From the very beginning of campaign reform, the main topic from most people that I have talked with and most organizations has been that we are simply spending too much money on campaigns. All you have to do is look at the record of how much money it takes to run for the U.S. Senate, even in the smaller States, to realize how totally it has gotten out of hand. So from the beginning the basic thrust of campaign reform was to attempt to pass legislation that would meet the constitutional muster that would reduce spending for Senate campaigns.

From the early beginnings of this situation, there were those of us who recognized that we had to have some kind of incentive to get around the constitutional prohibition. That was ruled on many years ago by the Supreme Court saying you could not enforce a law that simply said you cannot spend more than so much a voter, or so much per State. The basic thrust, as I understood the direction from the Supreme Court, was you could not by law prohibit people from spending their own money if they wanted to for whatever purpose they wanted to, including exceeding

spending limits that were attempted to be put in place by a piece of legislation that did exactly that many years ago.

I come back to the basic theme. At least this Senator, and I think many of us similarly situated, felt that the main thrust of a campaign reform measure had to be to reduce the amounts of money that we have spent on campaigns. I felt that was the basic thrust of the campaign. There were friends of mine, mainly on the other side of the aisle, who were fiercely against that. They did not want then and they do not want now any spending limits on campaigns. I do not happen to agree with their position at all, but I certainly agree that they have a right to come to that conclusion.

Once upon a time, Common Cause and other people who are now actively involved in campaign finance reform also had as the main thrust of the campaign reducing the total amount of money that was expended in an individual race, whether it was in a small State or whether it was in a very large State. Unfortunately I have seen a significant change in the position of Common Cause and others similarly situated.

The whole merit or lack thereof of the debate seems to have been thrust from spending limits to how much taxpayers' money we are going to spend on campaigns. That is one thing that has stuck in the craw of this Senator for a long, long time.

I do not quarrel with many of my colleagues on this side of the aisle who are firmly convinced that we cannot have effective campaign finance reform until we have a substantial amount of taxpayers' money involved in that kind of a piece of legislation. I do not agree with them. But like I stated a few moments ago, there are my friends on that side of the aisle who think we should have no spending limits to those on this side of the aisle who, if they had their way, would like to see all of the campaign financed all by taxpayers' money through vouchers or some other system.

Senator BOREN and others have tried to work out some kind of a compromise on that. But whenever you are trying to work out a compromise, you get lambasted from all sides.

I was rather interested to find out today that, led by Common Cause, there have been full-page newspaper ads run back home in Nebraska by Common Cause and others similarly situated that were trying to bring pressure to bear on Senator EXON of Nebraska and Senator KERREY of Nebraska to vote for S. 3, the campaign measure presently before the U.S. Senate. Then to follow up on those full-page ads with convenience coupons for the constituents of Senator KERREY and Senator EXON to send in to influence our vote for S. 3. They followed up today with a press conference in Lin-

coln, NE, accusing us of voting for campaign reform last year that had some taxpayer financing and that the bill before us, S. 3, is essentially the same bill and, therefore, we should support it if we are sincerely concerned about campaign reform.

Hogwash. Hogwash. Hogwash, Madam President, to Common Cause and the road that they are attempting to mislead the people of Nebraska on down. I challenge Common Cause and I challenge all of those similarly situated with them, many of whom have been supporters of this Senator for a long, long time.

Common Cause is not an organization created by the good Lord who knows all, hears all, and sees all that is good and proper for America. Some members of Common Cause in Nebraska do not know what is in S. 3. They are trying to mislead the people.

I will not support S. 3 as presently envisioned. S. 3, as presently before this body, is significantly different from a similar piece of legislation that was passed last year and vetoed by then President George Bush. S. 3 that is before the Senate right now is significantly different, Madam President, than S. 3 that was introduced in this body by Senator BOREN and others early in the session, as indicated by the fact that it was identified as S. 3, an early bill. S. 3 has been significantly modified, changed by the suggestions of the President of the United States who has signed on to a bill that Common Cause is now suggesting that dramatically increases the amount of taxpayers' money from one form or another to go to finance S. 3, if it is ever accepted.

This Senator and others have been trying to play a waiting game, who have been trying to work out campaign reform, who have been working behind the scenes, if you will, to try and come up with something that might not be as perfect as we would like to have it, but something we would vote for. I think if Common cause and the rest of the folks want to play hardball, this Senator can play hardball also.

So I send a signal to Common Cause, I send a signal to the U.S. Senate that this Senator will not support S. 3 as is presently before this body. If they want to know why, read the remarks that I have just made in this regard, and other remarks that I will make in the future. Hardball politics is fine, but hardball politics presented and financed by Common Cause and others under the do-gooder aura that they like to cloak themselves in is not good public business and it is not good campaign reform, in the opinion of this Senator.

There are others who have different views, but I will not yield to the pressure of Common Cause and those associated with them. They should know that, no matter how many full-page

newspaper ads, no matter how many press conferences. I believe that I know how the people of Nebraska feel about this, and if the people of Nebraska and most of the members of Common Cause in Nebraska knew the extent of public financing in S. 3, as it is now presented to the U.S. Senate, they would not be for it either, but they have not been told the truth. And the truth is that, unfortunately, in my view, Common Cause has gotten away from their central theme early on to have limits on the amounts of funds that can be expended in campaigns and, therefore, the debate essentially has switched us to why should we or why should we not have taxpayers financing campaigns.

All you have to do is look at the polls that have been taken. Notwithstanding what Common Cause said, I am convinced that the vast majority of my constituents are against—against, Madam President—the fact of using taxpayers' funds where we can certainly use them to greater benefit elsewhere than should go to elect political candidates to political office.

I will simply say that Common Cause, which some people think was created under some sainthood arrangement, is the same organization that was foremost in a previous cleanup campaign that created the political action committees, commonly known as PAC's, that Common Cause now is denouncing as one of the worst things that ever happened. The PAC's matter, whether it is good or bad, probably would never have been brought into the political arena had it not received the blessing at the time it was created of the Common Cause organization.

Common Cause is one of those organizations that has done a lot of good from time to time, but sometimes they stretch their good intentions. They are not telling the people of the United States and the voters of the United States today that they made a mistake when they backed political action committees as part of a previous, early 1970 campaign to clean up our act. Certainly it has not cleaned up our act. I say that the basic thrust of the means and the basic thrust of the methods used by Common Cause today are part and parcel to the same hardball, bring-pressure-to-bear politics that has caused the Senate to be locked in gridlock debate today, as we have been for several years, on what to do about campaign reform.

I say to the chairman of the committee, Senator BOREN, and my colleagues on both sides of the aisle, that I will continue to try to work out some kind of a compromise. But if you think the Btu tax was bad and if you think the people of the United States think the Btu tax should never have been enacted, wait and listen to what they say about S. 3, if we ever pass it in its present form.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Chair, in her capacity as a Senator from the State of California, suggests the absence of a quorum. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOREN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOREN. Madam President, I think that I have pretty well completed discussion of this amendment on our side. I see my colleague, the Republican manager, is not on the floor at the moment. I wish to give him time to return to the floor. But I would be prepared to move to table this amendment when it is a convenient time for him.

I do not want to cut off debate on that side. If there are other remarks that he wishes to make, I certainly want to give him an opportunity to do that. But I just wanted to serve notice that I am ready to do that whenever he has completed his remarks. I think I have pretty well completed my remarks on this amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Madam President, I am about ready for a vote. I have just a couple of final observations on the pending amendment.

It is somewhat amusing to hear a number of folks on the other side complain that my amendment would excessively limit the total amount of money that can be spent on campaigns. After arguing incessantly that too much money is being spent in campaigns—a point, by the way, that nearly all objective scholars disagree with—the other side now contends that my amendment would cause too little, too little money to be spent in campaigns.

To quote one of my favorite rhetorical questions of the other side, how much is enough? How much is enough, Madam President? How much spending is enough for lawyers and accountants to help candidates find ways around the law—\$100,000, \$200,000, or \$300,000, as this bill sets out as the maximum amount.

To vote against my amendment sends this unmistakable message: We are going to raid the Treasury to pay for political campaigns. We are going to unconstitutionally limit speech. But we are not going to touch this loophole for legal and accounting expenses. We are willing to gut the first amendment but we will not mess with the lawyers and the accountants.

For those who think spending limits are a good idea, all my amendment does is lower the limits in this bill, by eliminating the loophole for lawyers and accountants, who will be hired presumably to teach people how to get around the spending limits.

So, Madam President, I rest my case, and I am prepared to vote.

Mr. BOREN. Madam President, I thank my colleague for his courtesy. I think we have had a thorough discussion of his amendment, which would, as I indicated, knock out the funds as we have designated them under the terms of the compliance fund in the bill. We just again simply have a disagreement about the merit of this amendment. So, Madam President, so that we can go ahead and render a decision one way or the other of this amendment, I move to table the McConnell amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma to lay on the table the amendment of the Senator from Kentucky. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from Montana [Mr. BAUCUS], the Senator from Louisiana [Mr. BREAU], and the Senator from Georgia [Mr. NUNN] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Rhode Island [Mr. CHAFEE], the Senator from Georgia [Mr. COVERDELL], the Senator from New Mexico [Mr. DOMENICI], the Senator from Oregon [Mr. HATFIELD], the Senator from Alaska [Mr. MURKOWSKI], and the Senator from Oregon [Mr. PACKWOOD] are necessarily absent.

I further announce that, if present and voting, the Senator from Oregon [Mr. HATFIELD] would vote "nay."

The PRESIDING OFFICER (Mr. KOHL). Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 47, nays 44, as follows:

[Rollcall Vote No. 142 Leg.]

YEAS—47

Akaka	Glenn	Mikulski
Bingaman	Graham	Mitchell
Boren	Harkin	Moseley-Braun
Boxer	Heflin	Moynihan
Bradley	Hollings	Murray
Bryan	Inouye	Pell
Bumpers	Johnston	Pryor
Byrd	Kennedy	Reid
Campbell	Kerrey	Riegle
Conrad	Kerry	Robb
Daschle	Kohl	Rockefeller
DeConcini	Krueger	Sarbanes
Dodd	Leahy	Sasser
Exon	Levin	Simon
Feinstein	Lieberman	Wofford
Ford	Mathews	

NAYS—44

Bennett	Feingold	McConnell
Biden	Gorton	Metzenbaum
Bond	Gramm	Nickles
Brown	Grassley	Presler
Burns	Gregg	Roth
Coats	Hatch	Shelby
Cochran	Helms	Simpson
Cohen	Jeffords	Smith
Craig	Kassebaum	Specter
D'Amato	Kempthorne	Stevens
Danforth	Lautenberg	Thurmond
Dole	Lott	Wallop
Dorgan	Lugar	Warner
Durenberger	Mack	Wellstone
Faircloth	McCain	

NOT VOTING—9

Baucus	Coverdell	Murkowski
Breaux	Domenici	Nunn
Chafee	Hatfield	Packwood

So the motion to lay on the table the amendment (No. 400) was agreed to.

Mr. BOREN. Mr. President, I move to reconsider the vote.

Mr. MITCHELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOREN. Mr. President, we can move on here with several amendments today. I think we have a very, very short list of amendments still to be offered ultimately on our side before we can move to final passage.

I would like to renew my request to the manager of the bill, the distinguished Senator from Kentucky, to determine whether or not we can get a final list of amendments on their side.

We are now into midday of this discussion on Wednesday. It has been our hope, as I said yesterday, that we could arrange a time certain for final passage of the bill, perhaps tomorrow night or early Friday.

And I would like to inquire of my colleague from Kentucky whether or not he has been able to determine the number of amendments on his side, and if he is able to give us an estimate as to whether we might be able to enter into potentially a time agreement that would allow us to move to final passage on the bill perhaps tomorrow evening or by Friday morning so that Members might be able to plan when we might expect to be able to go to final vote on the pending matter.

Mr. MCCONNELL. I would say to my friend from Oklahoma as of the completion of the amendment upon which we just voted, the total number of amendments offered is 16 on the Democratic side and still fewer than that on the Republican side, 13.

So the answer to my friend's question is I cannot quantify the list yet, but we have continued to offer amendments throughout the day and have more amendments to be offered tonight. The Senator from Arizona is here patiently waiting to offer one. We intend to continue to offer our amendments on the bill.

Mr. BOREN. Mr. President, I would say to my colleague, as I indicated last night and as the majority leader indicated last night, there is certainly no

hesitation on this side of the aisle for those on the other side of the aisle to offer amendments. We want to give every opportunity.

I believe we are down on our side of the aisle, to my knowledge, to three or four amendments being the only amendments that Members on my side of the aisle have indicated to me that they intend to offer. Senators LEVIN and EXON want to offer amendments, and Senator WELLSTONE at some point will want to offer an amendment, and I may well want to offer some technical clarifying amendment at the end, or at least keep that option open. There may be one other amendment. I believe Mr. DORGAN might want to offer an amendment depending upon how other matters come out.

So in total there are three or four amendments on this side of the aisle, which should not take too long a time.

As I say, no one wants to prevent any amendments from being offered on the other side of the aisle which Members want to have a chance to offer. I wonder if my colleague could give me any indication as to how many amendments there are on the other side of the aisle so we might at least have some idea whether he thinks that Thursday is too soon or Friday is a possibility or maybe next Monday or Tuesday a possibility on the final action. How many amendments does he think might be remaining on his side of the aisle?

Mr. MCCONNELL. I would say to my friend from Oklahoma at the risk of being redundant to this point there have been 16 Democratic amendments and 13 Republican amendments. I cannot tell my friend from Oklahoma exactly how many amendments may remain on this side. There are a number of them. We are proceeding as rapidly as possible to offer them. We have offered five Republican amendments today. Senator MCCAIN is here and Senator KEMPTHORNE is in the wings to offer another one. We are prepared to move ahead with two more this evening.

Mr. BOREN. I understand how many amendments have been offered. My focus is not on the past but the present so we know when we will be able to finish on the bill.

As I say there are three or four on this side. Can the Senator give me an estimate? Are there 5 or 10 or 15 or how many amendments does he think would be remaining on the other side?

Mr. MCCONNELL. It would be guesswork, I say to my friend from Oklahoma. I do not know how many amendments remain to be offered on this side, but we have a number ready to offer tonight and are prepared to move ahead.

Mr. BOREN. I would urge my colleague, we are going to put out a hot line on our side so we can get an accurate listing on all amendments to be offered on this side. I express my hope

he might be willing to do the same thing on his side so we could get a finite list of amendments that we would know that the Members would want to offer and then be in a position to know then when we could finally come to a final vote.

The majority leader has indicated to me that the supplemental appropriations bill will be coming to the floor. It would appear to me that probably as early as next week or certainly the following week the budget reconciliation bill might be coming to the floor. So there is going to be a tremendous press of business. And the majority leader as he said last night was not wanting to put pressure on the other side of the aisle to prevent the offering of amendments. He does have a definite problem in terms of scheduling. He has withheld the filing of a cloture motion because he does not want to push this along in an artificial way. He wants to allow for amendments to be offered.

But I would renew my request to my colleague, the distinguished Republican manager of this bill, as we are going to make efforts our side of the aisle to get a list of those amendments to be offered, he might also get a list of amendments that might be offered on that side so we could begin to set at least some time projection as to when we might be able to move for final passage on the bill.

I see no response. I hope he will be willing to try to ascertain the amendments.

Mr. MCCONNELL. I do not want to bore my friend from Oklahoma with the same answer three times. I essentially do not have such a list.

Mr. BOREN. Would the Senator be willing to try to obtain such a list for us?

Mr. MCCONNELL. I have been asking as many Senators as I can what amendments they have. I am learning there are a number of amendments. They are prepared to move ahead. Senator MCCAIN is waiting here patiently to offer his.

Mr. BOREN. Mr. President, so move ahead with the amendment.

The PRESIDING OFFICER. The Chair recognizes the Senator from Arizona.

AMENDMENT NO. 401 TO AMENDMENT NO. 366
(Purpose: To limit the amount in which loans made to a campaign by a candidate and members of the candidate's family may be repaid)

Mr. MCCAIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

The Senator from Arizona [Mr. MCCAIN], for himself, Mr. DURENBERGER, and Mr. COHEN, proposes an amendment numbered 401.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 12, between lines 17 and 18, insert the following:

"(3) Loans made to the authorized committees of a candidate by sources described in paragraph (2) may be repaid to those sources in an aggregate amount that does not exceed the lower of—

"(A) 4 percent of the general election expenditure limit applicable to the candidate under subsection (b); or

"(B) \$200,000.

Mr. MCCAIN. Mr. President, first of all, I would like to thank my friend from Kentucky, who said I was patiently waiting twice. I appreciate his comment about "patiently," although he knows that I am not particularly known for that. But I appreciate his description of my demeanor very much.

Mr. President, this amendment would eliminate the so-called millionaire's loophole. Under the bill as it is currently drafted, a wealthy candidate could loan his campaign excessively large sums of money. The candidate would then be able to raise money from the public and have the campaign pay back the loans. This amendment would prohibit this kind of activity and close the so-called millionaire's loophole.

Under the amendment, if an individual loaned his or her campaign money, the campaign committee may only repay the candidate an amount equal to 4 percent of the spending limit in that State or \$200,000, whichever is less.

Mr. President, under the spending limit proposed by S. 3, the amount of money a candidate or a candidate's family can contribute to his or her campaign has been severely curtailed. I strongly support this restriction. However, the bill does not stop or limit the amount a candidate or candidate's family can loan to a campaign. Thus, as I stated, extremely wealthy candidates would be able to loan their campaign large sums of money, have them repaid, and not be in violation of the law.

This loophole gives wealthy candidates a great advantage over less wealthy ones.

If the goal of this bill is to truly level the playing field, then let us do it. Let us make it fair for all, wealthy or not.

This amendment serves one primary purpose. It makes it clear that personal wealth should not be a factor for electing an individual.

If an individual wants to use personal wealth for a campaign, then that person should not be able to recoup the money at either the taxpayers' or contributors' expense. This amendment solves that problem and ends the millionaire's loophole.

Mr. President, I know there is a colleague of mine on the floor, the Senator from Maine, who has firsthand experience with this kind of dilemma. I yield the floor at this time. I would be very interested in hearing his views.

Mr. COHEN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maine [Mr. COHEN].

Mr. COHEN. Mr. President, I will be very brief on this particular issue. I have, as Senator MCCAIN has indicated, some firsthand experience in dealing with such an issue.

I believe that I was the only incumbent candidate in 1990 that was outspent by a challenger. The challenger happened to be in a position to be able to write his own check for virtually the full amount of his campaign, which was well in excess of \$1½ million. That presents a formidable challenge to any of us who might have to run against such an individual.

Any individual who has that kind of resource would certainly put any of us at a disadvantage if we have to go out and raise small contributions. The whole effort of campaign finance reform seems to me is to take large sums of money out of the political process.

If we are going to abolish PAC's or limit the amount that they can contribute; if we are going to insist that we try to increase the effort to track small donations, it seems to me we put ourselves at a tremendous disadvantage if a person of considerable wealth can simply either write a check or, in the particular case that Senator MCCAIN is trying to address, loan the money to his committee and then have the committee repay him or her following the election.

So I suggest the amendment of the Senator from Arizona. I think if we are really trying to reduce the influence of money in politics, it is not only corporate money—which has been abolished from our political process—or PAC money—which may be abolished from this point on—but individual large sums of money which, it seems to me, puts a number of people in this country, who would like to enter into politics, at a severe handicap.

I support the Senator from Arizona and hope that his amendment will be accepted.

Mr. MCCAIN addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Arizona [Mr. MCCAIN].

Mr. MCCAIN. Mr. President, I thank my colleague from Maine whose insights on this and many other issues are always of great value.

I just want to point out a political reality again, which is the purpose of this amendment. If people are able to loan their campaigns large amounts of money, the chances are very good, once that candidate is elected, that the opportunity for repayment of those loans is excellent.

So, in the meantime, the ability to loan one's campaign very large amounts of money does give a distinct advantage to someone of significant wealth.

We are in the process of basically limiting the spending on campaigns.

That is what this bill is all about. Frankly, I think this amendment is appropriate.

I would like to take a moment, before I ask for the yeas and nays, to applaud the efforts of both my friend from Oklahoma and my friend from Kentucky.

I notice that they were talking just a minute ago about trying to get through this bill. They have both spent long hours, not only on the floor but off the floor, in hearings all over this country, debating their different viewpoints about campaign finance reform. I think both of them have done an outstanding job.

I think both of them have devoted an incredible amount of time for the position that they believe in. No matter how this bill comes out, Mr. President, I believe that this body, and the country, will be much better informed about what is really a very complex issue—and that is the whole business of how we finance political campaigns in this country—than they were before.

I, like all Members of this body, hope that we can reach agreement, hope that we can pass a piece of legislation that is acceptable to the majority of this body and the American people. The fact is that both the Senator from Oklahoma and the Senator from Kentucky have contributed enormously to not only the knowledge of this Member but also the entire body and the American people. I appreciate their efforts very much.

Mr. President, I ask for the yeas and nays on this amendment.

The PRESIDING OFFICER. Is there a sufficient second?

These is not a sufficient second.

There is a sufficient second.

The yeas and nays were ordered.

Mr. MCCONNELL. Mr. Present, I just wanted to commend my friend from Arizona for his amendment.

The Supreme Court said, I say to Senator MCCAIN, that you could not constitutionally restrict what a candidate could spend in his own behalf. In other words, you have unlimited speech and nobody can shut you up.

But I think the Court would very likely conclude that unlimited speech does not include going after the election and raising money to pay yourself back.

So I think this amendment simply guarantees that a candidate who chooses to speak with his own resources does, in fact, do that. They really spend it, rather than engaging in the process of spending with your own resources and then, as soon as the election is over, paying yourself back.

So all I think the McCain amendment does, and the reason I believe it is consistent with the Buckley case, is it simply guarantees that if the money is spent, the money is spent, which is a constitutional prerogative of someone of considerable wealth. That has been

done from time to time. Sometimes the candidate is elected and sometimes the candidate is defeated. There is no particular pattern of success engaged with that practice.

But this amendment would simply say that once you spent the money, it is gone. You could not, after the election, in effect, pay yourself back.

So I think it is a very worthwhile amendment. I intend to support it, and I hope other Members of the Senate will.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KOHL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SASSER). Without objection, it is so ordered.

Mr. KOHL. Mr. President, I ask unanimous consent I be permitted to speak as in morning business for as long as necessary.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Wisconsin is recognized.

Mr. KOHL. I thank the Chair.

(The remarks of Mr. KOHL pertaining to the introduction of S. 1087 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. KOHL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KOHL). Without objection, it is so ordered.

Mr. BOREN. Mr. President, we are having discussions now on a possible time agreement that would set the votes on the pending amendment and an additional amendment by our colleague from Idaho in the morning perhaps. But while we are completing that and setting the exact time for convening in the morning, I ask unanimous consent that Senator McCain's amendment be temporarily laid aside so that Senator KEMPTHORNE may offer an amendment at this time.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair recognizes the Senator from Idaho.

AMENDMENT NO. 402 TO AMENDMENT NO. 366

(Purpose: To require complete audits of all candidates that receive public benefits under the bill)

Mr. KEMPTHORNE. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Idaho [Mr. KEMPTHORNE] proposes an amendment numbered 402.

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On page 25, strike lines 5 through 21 and insert the following:

"(a) EXAMINATION AND AUDITS.—(1) The Commission shall conduct an examination and audit of the campaign account of each eligible Senate candidate who accepted benefits under this title to determine, among other things, whether the candidate has complied with the expenditure limits and conditions of eligibility of this title, and other requirements of this Act.

Mr. KEMPTHORNE. Mr. President, as we debate this bill, Senate bill 3, I know all across the United States Americans are saying that we do need to have campaign reform, but I do not believe this is the reform they are referring to. This program that is being offered to us is a massive new entitlement program for politicians.

As I have traveled throughout my State, I have not had anyone come up to me and say, "Please, tax us so we can now use that money to pay for politicians' campaigns." While they talk about reform, it is not reform that says the Government is to reach into their pockets even further and take money that is now to be used by the politicians for their campaigns.

We have a \$4 trillion debt in this Nation. That is what we should be dealing with, and now we are talking about another new taxpayer-funded program on top of the \$4 trillion debt.

It has been estimated that this program would cost hundreds of millions of dollars. This bill proposes that Government is going to begin to micro-manage campaigns. We passed an amendment earlier with regard to this bill that now states that direct mail is to be submitted to the Federal Election Commission. We are getting to the point now that we are truly micromanaging.

This bill also requires, Mr. President, that 10 percent of the campaigns that receive public money would be subject to an audit. The nature of my amendment is straightforward. It states that if, in fact, we are going to cross this line and if we are now going to provide for publicly financed campaigns, then we need to ensure the proper use of taxpayers' money in those campaigns, and it would require that all campaigns that use public money will be audited by the FEC, 100 percent, not 10 percent. I think we owe that to the taxpayers. If, in fact, we are going to start using their money for campaigns, then the Federal Election Commission should audit and ensure that all of that money is being used absolutely as intended.

That is the accountability, Mr. President, that I think we owe to the American taxpayers.

I do not think they are asking for this bill and for publicly financed campaigns, and I point to the State of Idaho where we have had the opportunity to do the tax return checkoff, and only 9 percent of Idahoans have indicated they would like to see this publicly financed program.

So, Mr. President, again, my amendment just simply states that if we go to this, publicly financed campaigns, then 100 percent of the campaigns that are going to accept the money will be audited by the Federal Election Commission. We owe that to the American taxpayer.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. KEMPTHORNE. Mr. President, I ask that I be allowed to reserve 5 minutes for potential discussion tomorrow morning.

Mr. BOREN. Mr. President, we are about to, I think, enter into a time agreement for the morning. Let me thank my colleague from Idaho for his willingness, which he has indicated to me, to have a vote in the morning with time left for debate in the morning.

Let me say, as I have been on and off the floor, while both the Senator from Arizona and the Senator from Idaho have offered their amendments, I have looked over both of these amendments and had an opportunity to see them. I think that they are well-motivated amendments, and I have no quarrel with the thrust of these amendments as manager of the bill. I will not be moving to table these amendments, and they are acceptable to me. I know my colleagues wish to have rollcall votes on them, but this Senator is supportive of those amendments and will be taking that position when they come to a vote and will not be moving to table these two amendments in the morning.

I think we are still working on our agreement, so at this moment, let me suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. AKAKA). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLOTURE MOTION

Mr. BOREN. Mr. President, as I have indicated, we have hoped that we could proceed ahead. We are now 9 days on this bill. I think we have been giving adequate opportunity for the consider-

ation of amendments. As I have indicated, on this side there are only three or four other amendments. They are germane amendments. Most of the amendments that have been offered on the other side of the aisle have been germane amendments.

But because the majority leader simply must be in a position to assure that this bill not be filibustered, and to assure that we will be able to go to a vote at a time certain because of the press of other business, extraordinarily important matters like decisions about the budget, supplemental appropriations bills, and other matters that are pressing upon us that must be completed before the July recess, and because, while I have again made a request of the distinguished leader on the other side of the aisle to attempt to give us a list of all the amendments, to attempt to try to enter into an agreement under which we would have a time certain for final passage of the bill, and since we still do not have any indication of how many amendments there are on the other side of the aisle, how long the debate would go on, I think it is necessary for us to assure that there not be a filibuster against this bill; that we will be able to go ahead in a timely fashion, which would not prevent the offering of germane amendments at any time, that I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate on the Mitchell-Ford-Boren amendment No. 366 to S. 3, the Congressional Spending Limit and Election Reform Act:

David L. Boren, Carl Levin, Wendell Ford, Dale Bumpers, Thomas Daschle, Howard Metzenbaum, Jeff Bingaman, Tom Harkin, John F. Kerry, Joseph Lieberman, Daniel Patrick Moynihan, Herb Kohl, Harris Wofford, David Pryor, Paul Simon, Max Baucus.

Mr. BOREN. Mr. President, so that we can complete our discussion of the time agreement for tomorrow, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from Oklahoma suggests the absence of a quorum. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. BOREN. Mr. President, I am about to make a unanimous-consent request that I understand has been

cleared by the Republican leader as well as by the Democratic leader.

Mr. President, I ask unanimous consent that when the Senate resumes consideration of S. 3, the campaign finance reform bill, tomorrow at 10:30 a.m., there be 5 minutes for debate under Senator KEMPTHORNE's control, 5 minutes under Senator MCCAIN's control, and 5 minutes under the control of Senator BOREN; that at the conclusion or yielding back of time, the Senate vote on Senator MCCAIN's amendment No. 401, to be followed by a vote on Senator KEMPTHORNE's amendment No. 402; that no other amendments be in order prior to the disposition of these amendments; and, that the votes occur on each without any intervening action or debate, except for motions to reconsider and table the Senate's action on each amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BOREN. Mr. President, with the entering in of that agreement, I would announce for the benefit of Members that there will be no further rollcall votes tonight.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DOLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. DOLE. Mr. President, I ask unanimous consent that I may proceed as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

BOSNIA AND HERZEGOVINA

Mr. DOLE. Mr. President, during the past few weeks we have seen the State Department distancing itself from the war in Bosnia and Herzegovina, and events in the Balkans. Secretary of State Christopher in a recent interview downplayed the significance of the Bosnian war and has characterized our interests as humanitarian. In addition, the State Department has responded in a low-key fashion to the recent crack-down on the Serbian opposition in Belgrade.

In the face of tough choices, the administration seems to be backing away from Bosnia. Instead of pursuing policies which confront aggression, such as arming the Bosnians, the United States has decided to participate in feeble attempts to address humanitarian needs, in effect ignoring the political and military causes and consequences of the war.

In the name of multilateralism we have gone along with our allies' proposal for the protection of U.N. de-

clared safe havens. So far, these designated safe areas are safe only in theory. All of these so-called safe areas are being shelled, several have no running water and are without sufficient food and medicine.

Even if these six areas can eventually be adequately protected, what about the tens of thousands of people who live outside these areas? How long will these U.N. sponsored camps be in existence?

Of course the bigger question is, how can this measure possibly contain the war? And, how do we contain the war without stopping it? The answers to both these questions are obvious: The safe havens proposal will not stop the war and will not contain it. At best, it will freeze the status quo on the ground. Dumping Bosnia back in Europe's lap may make things easier for the administration in the short term. But, it will not make this problem go away. In fact, in the absence of decisive action—which the Europeans seem incapable of—this conflict will continue to grow and spread.

Let us just look at what has happened since the announcement of the five country joint action program and the passage of the safe havens resolution by the U.N. Security Council. In Bosnia the war rages on, both in and around the so-called safe areas. Events in Serbia are worrisome as well: President Milosevic broke his promise to allow the deployment of United Nations personnel along the Serbian-Bosnian border to monitor his embargo against Bosnian Serbs—so, goods continue to cross the border; Milosevic removed the more moderate Prime Minister of Yugoslavia at the urging of the most extreme Serbian Nationalist Party; opposition leader Vuk Draskovic was severely beaten and arrested after leading antigovernment demonstrations. And, in Kosova, more Serbian forces are being deployed to maintain the stranglehold on the 2 million Albanians who live there.

The trend is clear. As the United States backs away, Serb leaders in Belgrade and Bosnia harden their position. Nationalist extremism is on the rise and democratic forces are being snuffed out.

Mr. President, from the beginning of the crisis in the former Yugoslavia, the problem has not been a lack of options. The problem has been a lack of political will. This lack of political will has been interpreted by Belgrade as a green light and Belgrade has raced forward with its plans for a greater Serbia.

If the United States backs away from Bosnia, we will be sending yet another green light to Milosevic. What the United States needs to do instead, is to send a red light to Belgrade. We can do that by leading our allies and the international community toward options that have real hope of ending the war in Bosnia.

One such option would be to lift the arms embargo against Bosnia. Before the recess, I introduced a bill in the Senate to lift the United States arms embargo against Bosnia. Congressman HYDE introduced the same bill in the House. Yesterday the bill was adopted in slightly modified form as an amendment to the fiscal year 1994 foreign aid bill by the House Foreign Affairs Committee.

Mr. President, the President has said that lifting the arms embargo remains his preferred option. The Congress has shown significant support for that option. While I believe that there is a strong legal basis for taking this action unilaterally, I believe that our friends and allies will follow if we lead the way.

I want to commend my colleagues, Democrats and Republicans, on the House side in the committee who voted for this resolution. We believe that there is no legal reason for an arms embargo on Bosnia.

Bosnia is an independent nation, a member of the United Nations. The arms embargo was placed on the country of Yugoslavia, and there is no Yugoslavia. We can argue legally that there is no legitimate arms embargo. We would hope that when this measure is considered in the Senate, we will have broad bipartisan support. It has bipartisan support now. A number of my colleagues on the Democratic side are looking at the proposal. It is co-sponsored now by Senator LIEBERMAN. We believe it is a step in the right direction, and it does track with what the President indicates was his preferred option—that is, lifting the arms embargo, giving the Bosnians a right to defend themselves. It does not ask us to take risk, no ground troops, no air strikes, just a chance to defend themselves. It seems that that is the least we can do for freedom-loving people.

TRAVELGATE

Mr. DOLE. Mr. President, as the American people sift through the wreckage of the Travelgate affair, they are uncovering more and more disturbing facts.

It is serious business when the FBI is enlisted by powerful figures in the White House to provide political cover against charges of cronyism. And it is double serious when it appears that agents from the Internal Revenue Service were used as political foot soldiers in a White House damage-control operation.

News reports indicate that three IRS agents appeared unannounced at the Smyrna, TN, office of one of the charter companies that had previously done business with the travel office. The agents presented company officials with a summons for company documents, including documents relating to

the travel office. The IRS action took place at approximately 3 p.m. on the very day of the now-infamous White House political strategy session.

The IRS agents involved said they were acting on their own, claiming that after reading newspaper reports they were concerned that the relationship between the company and the White House was not "on the up and up."

I must say, if the IRS agents are going to start acting on anything they read in the paper, there is enough suspicion now of IRS agents. I do not know what the American people will contend with if they read something in the newspaper and immediately come to your business or home with documents and a summons and ask to see all of your records. I do not think that is the American way. In any event, that is what happened.

Now, I have no reason to doubt the public explanation given by the IRS agents. But the American people expect a full accounting of all the facts and not just from the agents in the field, but from those in positions of authority—at the IRS, at the FBI, at the Justice Department, and at the White House.

An article appearing in yesterday's edition of *Tax Notes*, a trade publication, explains why the actions taken by the IRS agents in this case were so unusual. In the overwhelming majority of cases, the IRS will conduct an examination only in response to the filing of a tax return. No return, no audit.

And that is why the sudden appearance of not one, not two, but three, IRS agents at the door of the charter company raises some suspicions. The company had no corporate existence before June of 1992. And, having received an extension, it had not yet filed an income tax return for calendar year 1992. The company, in other words, was a ghost, a nonentity—at least for purposes of the IRS.

As the *Tax Notes* article explains, and I quote:

The IRS only cares about bribery if it shows up as a deduction or a failure to report income on a Federal income tax return. The usual starting point for an IRS examination is a return; without a return, there is nothing for agents to talk about.

For those in Washington who wish Travelgate will just fly away, I have some bad news: it will not. I intend to pursue this matter through a hearing, through a congressional investigation, through a special counsel—whatever it takes to get all the facts out on the table.

No doubt about it, the American people deserve to have confidence in an FBI and an IRS that make decisions free of political considerations. The bottom line is that politics and law enforcement do not, and should not, mix.

Mr. President, I ask unanimous consent that the article from *Tax Notes* be

printed in the RECORD immediately after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. DOLE. Last week, I also sent letters to Secretary of the Treasury Bentsen and to IRS Commissioner Margaret Richardson requesting an explanation of the IRS's apparent involvement in the travel office affair.

I ask unanimous consent that these letters be printed in the RECORD as well.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. SENATE,
OFFICE OF THE REPUBLICAN LEADER,
Washington, DC, June 4, 1993.

Hon. LLOYD BENTSEN,
Secretary of the Treasury, Department of the Treasury, Washington, DC.

DEAR SECRETARY BENTSEN: I am writing to express my concern about the apparent involvement of the Internal Revenue Service in the White House Travel Office affair.

As you probably know, the White House Office of Management recently fired all seven career employees in the Travel Office. Five of the employees have since been placed on administrative leave with pay. In response to the negative publicity generated by the firings, the White House communications department summoned a representative of the FBI to a "political strategy session" on May 21. White House officials subsequently released to the press an FBI statement suggesting that a criminal investigation into the Travel Office was warranted. The statement was reportedly released without the FBI's approval or even knowledge.

News reports also indicate that three IRS agents appeared unannounced at the Smyrna, Tennessee office of Ultrair, one of the airline charter companies that had previously done business with the Travel Office. The agents presented company officials with a summons for company documents, including documents relating to the Travel Office. The IRS action took place on the very day of the White House political strategy session.

The IRS agents involved said they were acting on their own, claiming that after reading newspaper reports they "had some concerns that the relationship between Ultrair and the White House wasn't on the up and up."

Mr. Secretary, I am sure you agree that the American people deserve to have confidence in an IRS that makes decisions free of political considerations. Although I have no reason to doubt the public explanation given by the IRS agents, I would nonetheless appreciate being advised of your understanding of the IRS's involvement in this matter. More specifically, I would like to know whether executive branch officials outside the Treasury Department were involved in any way in the decision to investigate Ultrair.

Thank you for your prompt consideration of this request.

Sincerely,

BOB DOLE.

U.S. SENATE,
OFFICE OF THE REPUBLICAN LEADER,
Washington, DC, June 4, 1993.

Hon. MARGARET M. RICHARDSON,
Office of the Commissioner, Internal Revenue Service, Washington, DC.

DEAR COMMISSIONER RICHARDSON: I am writing to express my concern about the ap-

parent involvement of the Internal Revenue Service in the White House Travel Office affair.

As you probably know, the White House Office of Management recently fired all seven career employees in the Travel Office. Five of the employees have since been placed on administrative leave with pay. In response to the negative publicity generated by the firings, the White House communications department summoned a representative of the FBI to a "political strategy session" on May 21. White House officials subsequently released to the press an FBI statement suggesting that a criminal investigation into the Travel Office was warranted. The statement was reportedly released without the FBI's approval or even knowledge.

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The IRS agents involved said they were acting on their own, claiming that after reading newspaper reports they "had some concerns that the relationship between Ultrair and the White House wasn't on the up and up."

Commissioner, I am sure you agree that the American people deserve to have confidence in an IRS that makes decisions free of political considerations. Although I have no reason to doubt the public explanation given by the IRS agents, I would nonetheless appreciate being advised of your understanding of the IRS's involvement in this matter. More specifically, I would like to know whether anyone outside the IRS was involved in any way in the decision to investigate Ultrair.

Thank you for your prompt consideration of this request.

Sincerely,

BOB DOLE.

EXHIBIT 1

[From Tax Notes, June 7, 1993]

NEWS ANALYSIS: WAS THE IRS INVOLVED IN TRAVELGATE?

In America, the government does not send the tax administrator after its enemies. The Kennedy administration is widely supposed to have done so; the Johnson administration tried, but the IRS commissioner refused. The Nixon administration tried, and the embarrassing revelation, which took the form of the IRS commissioner's resignation, led to the enactment of code section 6103, which makes it a crime to disclose tax returns and tax return information.

The White House may act as an informant, like any other citizen. Tips from the White House are to be treated like tips from any other citizen; the IRS would conduct its own independent evaluation before acting on any tip. Travelgate raises the question of whether the Clinton administration is abiding by these rules.

A recapitulation of Travelgate is warranted. On May 19, the White House fired its seven-person travel staff, alleging shoddy accounting procedures. The real reason for the firings, newspapers later reported, was to put President Clinton's cousin (a travel agent) and a Hollywood producer friend (an investor in an air charter operation) in charge of travel for the White House press corps, which follows Clinton around in chartered air-

planes. Frantically seeking to justify the firings on some other ground, the White House—without going through the attorney general—called the FBI to investigate the travel office staff, whom the White House publicly accused of criminality on May 21 (and five of whom were miraculously rehired four days later). This article asks whether the White House damage-control crew called the IRS as well.

The IRS only cares about bribery if it shows up as a deduction or a failure to report income on a federal income tax return.

Coincidentally, at 3:00 p.m. on the afternoon of May 21, three IRS agents showed up unannounced at the Smyrna, Tenn. offices of Ultrair, the charter operation that handled the bulk of White House press travel. The agents told the Ultrair officers that they had been sent from the Nashville IRS District Office to investigate allegations of bribery and kickbacks involving the White House travel office.

When Ultrair officers stated that they would rather continue the conversation through their lawyers, the agents presented them with a broadly worded administrative summons for all of Ultrair's financial records. Ultrair is complying with the summons. The Washington Post seems to have been the only publication that reported the IRS agents' visit. Under section 6103, the IRS could not discuss Ultrair's case without consent from the taxpayer. There is a possibility that the IRS will internally investigate the tactics used in the Ultrair audit.

The usual starting point for an IRS examination is a return; without a return, there is nothing for agents to talk about.

Though Tennessee may still be a hazardous place to be a "revenooer," the IRS does not kick down doors as a part of the normal examination process. Several former IRS executives called the visit highly unusual. In a normal audit, the IRS calls first, makes an appointment for an agent to visit, and requests documents that it needs to examine. Tactics such as unannounced visits and administrative summonses are usually reserved for cases when the taxpayer resists polite requests to provide information, as will be discussed below. Well, is not bribery of an executive agency a serious crime? Yes, but the IRS only cares about bribery if it shows up as a deduction or a failure to report income on a federal income tax return; killing someone is a serious crime, but is not a tax crime.

According to its president, Richard Millnor, Ultrair had no corporate existence before June 1992, when it was formed by a group of former Pan Am employees who had handled the White House travel business at Pan Am. Ultrair has not had an income tax audit before, though it had an excise tax audit last year. Ultrair has yet to file an income tax return for calendar year 1992; it has an extension, and its eventual return is expected to show a large net operating loss.

The usual starting point for an IRS examination is a return; without a return, there is nothing for agents to talk about. Nor do IRS agents just unilaterally decide to examine taxpayers on the basis of newspaper reports, as The Washington Post article implied. The IRS is not authorized to go on fishing expeditions for wrongdoing by government contractors (though the General Accounting Office can).

THE POINT OF NO RETURN

IRS computers select taxpayers for audit, according to objective criteria, in the usual course. In cases in which no return has been filed, group managers are authorized to initi-

ate an audit if the audit can be shown to be needful and necessary, a productive use of a revenue agent's time, and supportable based on information that goes beyond mere speculation. If the source of the information is a tip, then the tip has to be independently evaluated (including a determination of whether a return is due) before the separate determination is made that an audit is warranted. Based on statements by Ultrair president Millnor, the Ultrair audit involves an administrative summons and aggressive nonfiler procedures for which there are formal and informal criteria.

An IRS group chief can request an administrative summons; an agent can sign one. (The Ultrair summons was signed by a Nashville agent named Daryl Hall, who is no relation to the pop musician of the same name.) An administrative summons has the effect of a threat to go to court to get an order to turn over material; it is not self-enforcing. According to chapter 4022.3 of the Internal Revenue Manual, among the factors that IRS examiners should consider before issuing an administrative summons is whether there are other means of getting the desired information. The usual way to obtain information is to ask for it politely.

More to the point are that chapter's instructions on when an administrative summons should be considered. Basically, the criteria for issuing an administrative summons go to taxpayer resistance to polite requests for information. Among the criteria for issuing an administrative summons are: no records have been made available within a reasonable time; the submitted records are known or suspected to be incomplete; details pertinent to tax liability are being withheld; the taxpayer has asserted another explanation for the deficiency; or the availability of the records is in doubt, so the taxpayer must be compelled to disclose them or testify. Despite the criteria, employees of some business taxpayers have been known to insist on a summons rather than a document request as paper proof that they were asked to furnish records to the IRS.

Computers also usually find nonfilers, and service centers send them warnings; by the time agents get a case, the pertinent tax year is two years back. Some taxpayers can be treated as nonfilers when the circumstances warrant; the criteria for doing so appear to be informal. Aggressive nonfiler procedures, in the sense of physically going after the nonfiler, are usually only invoked in criminal cases. Unannounced visits, euphemistically called "canvassing the district," and other coercive measures are standard operating procedures in organized crime and drug dealing cases, when ill-gotten income has not been reported and the earner is likely to flee. Nonfiler procedures are also invoked in cases of political corruption, but the IRS has no reason to be involved in a corruption investigation unless there has been a deduction or a failure to include a boodle on a tax return. That is, if a bribe-taker reports the bribes as income, he may still have problems with other federal agencies, but he does not have a tax problem.

Nonfiler procedures cannot be invoked before a return is due, including extensions, unless the situation meets the requirements for a jeopardy assessment, which results in closing the year and assessing tax in the amount of cash on hand—a tactic commonly used in raids initiated by other federal agents. Although there is no authority for the IRS to invoke the nonfiler procedures before a return is due, the IRS as a practical matter has been known to do so in organized

crime and drug dealer cases. In Ultrair's case, the IRS did not go so far as to make a jeopardy assessment.

Nonfiler procedures cannot be invoked before a return is due, including extensions, unless the situation meets the requirements for a jeopardy assessment.

The White House travel office's use of large amounts of cash during the 1992 campaign may have given the IRS cause to examine Ultrair. Newspaper reports have stated that the White House believes that cash transactions in the travel office were not properly recorded. The Treasury is responsible for enforcing the currency transaction reporting rules, which require recipient reporting of cash transactions of \$10,000 or more. Regulations implementing these rules aggregate smaller transactions and contain a broad definition of cash. Most businesses are required to report the receipt of large amounts of cash, with the result that many violate the rules inadvertently. The IRS sporadically uses information gleaned from the cash reporting requirement program in income tax audits, but use of this information is not yet routine. A failure to report cash transactions may have justified an investigation of Ultrair. But it still would not justify the use of nonfiler procedures.

None of the foregoing reasons for examination detract from the Kafkaesque quality of IRS agents barging in on a taxpayer on the apparent suspicion that the taxpayer is not going to do what they think it should be doing in the future. Even if Ultrair were involved in corruption, the IRS has nothing to go on until Ultrair files an income tax return. No tax question has arisen. In a tax compliance system based on the return, the taxpayer is given a chance to report items of income and deduction before the tax administrator starts asking questions.—LEE A. SHEPPARD.

Mr. DOLE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that there now be a period for morning business with Senators permitted to speak therein.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE REFERRED

The Committee on the Judiciary was discharged from further consideration of the following measure which was referred to the Committee on Environment and Public Works:

S. 1036. A bill to authorize the Administrator of the General Service Administration to enter into agreements for the construction of border stations on the United States borders with Canada and Mexico, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-880. A communication from the President of the United States, transmitting, pursuant to law, a report of six proposed rescissions; referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986, jointly to the Committee on Appropriations, to the Committee on the Budget, to the Committee on Banking, Housing and Urban Affairs, to the Committee on Commerce, Science, and Transportation, and to the Committee on the Judiciary.

EC-881. A communication from the President of the United States, transmitting, a report of requests for fiscal year 1993 supplemental appropriations; to the Committee on Appropriations.

EC-882. A communication from the Principal Deputy Comptroller, Comptroller of the Department of Defense, transmitting, pursuant to law, a report of the Antideficiency Act Violation Case #91-1; to the Committee on Appropriations.

EC-883. A communication from the Acting Assistant Secretary of the Army (Financial Management), Department of the Army, transmitting, pursuant to law, a report of the value of property, supplies, and commodities by the Berlin Magistrate for the period October 1, 1992 through December 31, 1992; to the Committee on Armed Services.

EC-884. A communication from the Principal Deputy Comptroller, Comptroller of the Department of Defense, transmitting, pursuant to law, a report of the funds proposed to be obligated to assist the Russian Federation in establishing a Central Chemical Weapons Destruction Analytical Laboratory; to the Committee on Armed Services.

EC-885. A communication from the General Counsel of the Department of Defense, transmitting, a draft of proposed legislation entitled "National Defense Authorization Act for Fiscal Year 1994"; to the Committee on Armed Services.

EC-886. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report of Future Years Defense Program and Procurement for fiscal year 1994; to the Committee on Armed Services.

EC-887. A communication from the President of the Thrift Depositor Protection Oversight Board, transmitting, pursuant to law, a report on 30 savings associations; to the Committee on Banking, Housing and Urban Affairs.

EC-888. A communication from the Interim Chief Executive Officer of the Resolution Trust Corporation, transmitting, pursuant to law, a report of a status review for the month of April 1993; to the Committee on Banking, Housing and Urban Affairs.

EC-889. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report of formal and informal enforcement actions; to the Committee on Banking, Housing and Urban Affairs.

EC-890. A communication from the Acting Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, a report on intermarket coordination; to the Committee on Banking, Housing and Urban Affairs.

EC-891. A communication from the Chairman of the Board of Governors of the Federal Reserve System, transmitting, pursuant to

law, a report on intermarket coordination; to the Committee on Banking, Housing and Urban Affairs.

EC-892. A communication from the Director of the Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report on direct spending or receipts legislation within five days of enactment; to the Committee on the Budget.

EC-893. A communication from the Commandant of the U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, a report of a revised Executive Summary of a plan to license operators of federally documented commercial fishing vessels; to the Committee on Commerce, Science and Transportation.

EC-894. A communication from the Deputy Associate Director for Compliance (Minerals Management Service, Royalty Management Program), Department of the Interior, transmitting, pursuant to law, a report of an intention to make refunds of offshore lease revenues; to the Committee on Energy and Natural Resources.

EC-895. A communication from the Secretary of Agriculture and the Secretary of the Interior, transmitting, pursuant to law, the annual report on the administration of the Wild Free-Roaming Horse and Burro Act; to the Committee on Energy and Natural Resources.

EC-896. A communication from the Administrator of the Environmental Protection Agency, transmitting, a report of a statement of principles for legislation creating a new drinking water state revolving fund; to the Committee on Environment and Public Works.

EC-897. A communication from the Chairman of the Prospective Payment Assessment Commission, transmitting, pursuant to law, a report entitled "Medicare and the American Health Care System"; to the Committee on Finance.

EC-898. A communication from the President of the United States, transmitting, pursuant to law, a report concerning extension of waiver authority; to the Committee on Finance.

EC-899. A communication from the President of the United States, transmitting, pursuant to law, a report concerning emigration laws and policies of the Republic of Bulgaria; to the Committee on Finance.

EC-900. A communication from the Chairman of the Physician Payment Review Commission, transmitting, pursuant to law, a report entitled "Monitoring Access of Medicare Beneficiaries"; to the Committee on Finance.

EC-901. A communication from the Assistant Secretary (Legislative Affairs), Department of State, transmitting, a draft of proposed legislation entitled "The Foreign Relations Authorization Act, Fiscal years 1994 and 1995"; to the Committee on Foreign Relations.

EC-902. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the semiannual report of the Office of the Inspector General for the period October 1, 1992 through March 31, 1993; to the Committee on Governmental Affairs.

EC-903. A communication from the Secretary of Labor, transmitting, pursuant to law, the semiannual report of the Office of the Inspector General for the period October 1, 1992 through March 31, 1993; to the Committee on Governmental Affairs.

EC-904. A communication from the Acting Senior Deputy Chairman of the National En-

dowment for the Arts, transmitting, pursuant to law, the semiannual report of the Office of the Inspector General for the period October 1, 1992 through March 31, 1993; to the Committee on Governmental Affairs.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. KENNEDY, from the Committee on Labor and Human Resources:

Marshall S. Smith, of California, to be Under Secretary of Education; and

David A. Longanecker, of Colorado, to be Assistant Secretary for Postsecondary Education, Department of Education.

(The above nominations were reported with the recommendation that they be confirmed, subject to the nominees' commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HATCH:

S. 1085. A bill to abolish the United States Arms Control and Disarmament Agency and to transfer certain policy formulation functions of the Agency to the Department of State and certain non-proliferation and other functions of the Agency to the Department of Defense, and for other purposes; to the Committee on Foreign Relations.

By Mr. DANFORTH (for himself and Mr. INOUE):

S. 1086. A bill to foster the further development of the Nation's telecommunications infrastructure through the enhancement of competition, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. KOHL (for himself, Ms. MOSELEY-BRAUN, Mrs. FEINSTEIN, and Mr. LAUTENBERG):

S. 1087. A bill to amend title 18, United States Code, to prohibit the possession of a handgun or ammunition by, or the private transfer of a handgun or ammunition to, a juvenile; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MATHEWS (for himself, Mrs. MURRAY, Mr. ROCKEFELLER, Mr. DODD, Mr. BROWN, Mr. ROBB, Mr. BRADLEY, Mr. INOUE, Mr. PELL, Mr. JEFFORDS, Mr. AKAKA, Mr. SASSER, Mr. WOFFORD, Mr. KERRY, Mr. HATFIELD, Mr. GORTON, Mr. LUGAR, Mr. DURENBERGER, Mr. MURKOWSKI, Mr. HELMS, Mr. PRESSLER, and Mr. PACKWOOD):

S. Con. Res. 29. A concurrent resolution relating to the Asia Pacific Economic Cooperation Organization; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HATCH:

S. 1085. A bill to abolish the U.S. Arms Control and Disarmament Agency and to transfer certain policy formulation functions of the Agency to the Department of State and certain nonproliferation and other functions of the Agency to the Department of Defense, and for other purposes; to the Committee on Foreign Relations.

ECONOMY IN ARMS CONTROL ACT

Mr. HATCH. Mr. President, I rise to introduce a piece of legislation that would promote economy in government and that would save the American taxpayer a quarter of a billion dollars over the next 5 years.

This bill—the Economy in Arms Control Act of 1993—is designed to continue the process of bringing our Government institutions into line with the realities of the post-cold-war world, a process of adjustment that has already affected virtually all of our foreign policy, defense, and intelligence agencies:

Those countries that received foreign aid on the basis of calculations stemming from cold war geopolitical competition have seen such assistance diminish.

We are engaged in massive reductions of our military establishment that will by 1996 reduce defense spending in real terms to less than half of the level in the peak spending year of 1985.

We have also reduced the national foreign intelligence program budget.

We are considering a fundamental restructuring and reduction of our international broadcasting capabilities as a result of the end of the cold war.

In this bill, I am advocating that this process be taken one step further. It is time that we scale back the arms control establishment that was created to respond to the needs of cold war arms control negotiations. This bill will do so by repealing the Arms Control and Disarmament Act of 1961 and thereby dissolving the Arms Control and Disarmament Agency.

Let us remember that ACDA was created because of a perceived lack of expertise in the Federal Government in what was then the novel area of arms control. Yet today we have experts, offices, or agencies dedicated to arms control work in the State Department, the Office of the Secretary of Defense, the Joint Staff, the three major armed services, the Department of Energy, the On-Site Inspection Agency, the Central Intelligence Agency, the Defense Intelligence Agency, and other parts of the Government.

The fact is that there is not a single aspect of ACDA's work that is not duplicated or triplicated elsewhere. If we are truly interested in streamlining government, the place to start is the elimination of the Arms Control and Disarmament Agency.

This bill will also rationalize the handling of arms control issues within

the executive branch. It assigns the lead in arms control policy formulation to the State Department, the lead in policy coordination and overseeing implementation to the National Security Council, and the lead in verification and compliance reporting and non-proliferation matters to the Department of Defense.

Some might object to this act on the grounds that ACDA is needed because a great deal of work remains to be done in implementing the many recently concluded arms treaties. And it is true that much work remains. But ACDA—which lacks line authority over any significant field activities—would not be the lead player. Even without this bill, this important work will be conducted, as in the past, primarily by the Departments of State or Defense.

Others might argue that ACDA should be tasked with the lead in counterproliferation issues. Yet we already have agencies tasked to lead on these efforts. The real expertise and the bureaucratic authority on proliferation questions exists in the Department of State, the Department of Commerce, the Department of Defense, and the intelligence community.

If we are not satisfied with counterproliferation policy, we should address those problems at their source and make changes in the departments that have worked these issues for years. In that respect, this bill would create in law an assistant secretary of defense for nonproliferation and transfer some of ACDA's billets to this office, thereby ensuring that non-proliferation has adequate staffing.

Over the last year, there have been many studies of the utility of ACDA. And none have concluded that ACDA as currently constituted provides a great deal of value added. I am proposing in this bill that we retire this bureaucratic anachronism of the cold war and that we transfer its authorities and reporting requirements to other departments, where the real power over arms control policy development and execution has always lain despite the existence of ACDA.

Mr. President, the time has passed to study the issue of ACDA's failings; the time has come to act on it. I call on my colleagues to press forward with the needed restructuring of Government to conform to the realities of the post-cold-war world by supporting the Economy in Arms Control Act of 1993.

I ask unanimous consent that the text of the bill be reprinted at this point in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1085

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Economy in Arms Control Act".

SEC. 2. FINDINGS.

The Congress finds that—

(1) the initially created United States Arms Control and Disarmament Agency (ACDA) in 1961 served a useful purpose that has been eclipsed due to the end of the Cold War;

(2) numerous government agencies have acquired the expertise, capabilities, and roles that were originally intended for ACDA;

(3) the work that ACDA performs is duplicated in the executive branch of Government and ACDA's role is no longer essential for national security;

(4) with the pace of dynamic international change, all government agencies involved in defense, intelligence, and international broadcasting have been reduced accordingly; and

(5) the orderly retirement of ACDA is a necessary measure to maximize savings in annual government expenditures.

SEC. 3. DEFINITIONS.

For purposes of this Act, unless otherwise provided or indicated by the context—

(1) the term "Federal agency" has the meaning given to the term "agency" by section 551(1) of title 5, United States Code;

(2) the term "function" means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program;

(3) the term "Secretary of Defense" means the Secretary of Defense, acting through the Assistant Secretary of Defense for Non-Proliferation Affairs; and

(4) the term "ACDA" means the United States Arms Control and Disarmament Agency.

SEC. 4. ABOLISHMENT OF THE ACDA.

(a) **ABOLISHMENT.**—The United States Arms Control and Disarmament Agency is abolished on the effective date of this Act.

(b) **REPEAL.**—The Arms Control and Disarmament Act (22 U.S.C. 2551 et seq.) is repealed on the effective date of this Act.

SEC. 5. TERMINATION OF FUNCTIONS.

(a) **TERMINATION OF FUNCTIONS.**—All functions exercised by the Director of the ACDA, or exercised under the authority of the Arms Control and Disarmament Act, before the effective date of this Act other than the functions described in section 6 shall terminate on such effective date.

(b) **TREATMENT OF PERSONNEL EMPLOYED IN TERMINATED FUNCTIONS.**—The following shall apply with respect to officers and employees of the ACDA which were not transferred under section 11:

(1) Under such regulations as the Office of Personnel Management may prescribe, the head of any agency in the executive branch may appoint in the competitive service any person who is certified by the Director of the ACDA as having served satisfactorily in the ACDA and who passes such examination as the Office of Personnel Management may prescribe. Any person so appointed shall, upon completion of the prescribed probationary period, acquire a competitive status.

(2) The head of any agency in the executive branch having an established merit system in the excepted service may appoint in such service any person who is certified by the Director of the ACDA as having served satisfactorily in the ACDA and who passes such examination as such agency head may prescribe.

(3) Any appointment under this subsection shall be made within a period of one year after completion of the appointee's service in the ACDA.

(4) Any law, Executive order, or regulation which would disqualify an applicant for appointment in the competitive service or in

the excepted service concerned shall also disqualify an applicant for appointment under this subsection.

SEC. 6. TRANSFER OF FUNCTIONS.

(a) **TRANSFER OF FUNCTIONS.**—(1) There are transferred—

(A) to the Secretary of State, so much of the functions which the Director of ACDA exercised before the effective date of this Act as relate to policy formulation in connection with arms control and disarmament matters (including all related functions of any officer or employee of the ACDA but not including functions related to non-proliferation affairs);

(B) to the Secretary of Defense, so much of the functions which the Director of ACDA exercised before the effective date of this Act as relate to non-proliferation affairs; and

(C) to the Secretary of Defense, to be exercised in consultation with the Director of Central Intelligence, so much of the functions which the Director of ACDA exercised before the effective date of this Act as relate to the evaluation and reporting of the effectiveness of arms control and disarmament agreements with respect to the verification of compliance with such agreements.

(2) The transferred functions shall be exercised consistent with this section.

(b) **AUTHORITY OF THE NATIONAL SECURITY COUNCIL.**—Section 101(b) of the National Security Act of 1947 (50 U.S.C. 402(b)) is amended—

(1) by striking "and" at the end of paragraph (1);

(2) by striking the period at the end of paragraph (2) and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(3) to serve as the principal adviser to the President for the interagency coordination of United States arms control and disarmament policy and for monitoring the implementation of international arms control and disarmament agreements and to establish procedures to carry out the duties described in this paragraph."

(c) **PROHIBITION.**—No action shall be taken under this or any other law that will obligate the United States to disarm or to reduce or to limit the Armed Forces or armaments of the United States, except pursuant to the treaty-making power of the President under the Constitution or unless authorized by further affirmative legislation by the Congress of the United States.

(d) **ASSISTANT SECRETARY OF DEFENSE.**—(1) Section 136 of title 10, United States Code, is amended—

(A) in subsection (a), by striking out "eleven" and inserting in lieu thereof "12"; and

(B) by adding at the end of subsection (b) the following new paragraph:

"(5) One of the Assistant Secretaries shall be the Assistant Secretary of Defense for Non-Proliferation Affairs. It shall be the principal duty of the Assistant Secretary to coordinate Federal Government policy with respect to the non-proliferation of conventional weapons and weapons of mass destruction."

(2) Section 5315 of title 5, United States Code, is amended by striking out "Assistant Secretaries of Defense (11)." and inserting in lieu thereof the following:

"Assistant Secretaries of Defense (12)."

SEC. 7. DETERMINATIONS OF CERTAIN FUNCTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.

If necessary, the Director of the Office of Management and Budget shall make any determination of the functions that are transferred under section 6(a).

SEC. 8. PERSONNEL PROVISIONS.

Subject to section 13, the Secretary of State and the Secretary of Defense may appoint and fix the compensation of such officers and employees as may be necessary to carry out the respective functions transferred under this Act. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with title 5, United States Code.

SEC. 9. REORGANIZATION.

The Secretary of State is authorized to allocate or reallocate any function transferred under section 6(a) among the officers of the Department of State and to establish, consolidate, alter, or discontinue such organizational entities in such Department as may be necessary or appropriate.

SEC. 10. RULES.

The Secretary of State and the Secretary of Defense are authorized to prescribe, in accordance with the provisions of chapters 5 and 6 of title 5, United States Code, such rules and regulations as such Secretary determines necessary or appropriate to administer and manage the functions of the Department of State or the Department of Defense, as the case may be, which are transferred by this Act.

SEC. 11. TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.

(a) **IN GENERAL.**—Subject to the limitations in subsection (b), the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred by this Act, subject to section 1531 of title 31, United States Code, shall be transferred to the Federal agency to which such functions are transferred. Unexpended funds transferred pursuant to this section shall be used only for the purposes for which the funds were originally authorized and appropriated.

(b) **LIMITATIONS.**—(1) In carrying out the transfer of personnel required by subsection (a), there are authorized to be transferred—

(A) with respect to the function transferred under section 6(a)(1)(A), not to exceed 10 percent of the personnel,

(B) with respect to the function transferred under section 6(a)(1)(B), not to exceed 30 percent of the personnel, and

(C) with respect to the function transferred under section 6(a)(1)(C), not to exceed 30 percent of the personnel,

employed or used in connection with that function as of December 31, 1992.

(2) In making the transfer of personnel described in paragraph (1), the President shall transfer such personnel employed or used in connection with a function as the President determines, notwithstanding any other provision of law, are necessary to carry out that function.

SEC. 12. INCIDENTAL TRANSFERS.

The Director of the Office of Management and Budget, at such time or times as the Director shall provide, is authorized to make such determinations as may be necessary with regard to the functions transferred by this Act, and to make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with, the functions transferred by this Act.

tion with such functions, as may be necessary to carry out the provisions of this Act. The Director of the Office of Management and Budget shall provide for the termination of the affairs of the entity terminated by this Act and for such further measures and dispositions as may be necessary to effectuate the purposes of this Act.

SEC. 13. EFFECT ON PERSONNEL.

(a) IN GENERAL.—Except as otherwise provided by this Act, the transfer pursuant to this Act of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation for one year after the date of transfer of such employee under this Act.

(b) EXECUTIVE SCHEDULE POSITIONS.—Except as otherwise provided in this Act, any person who, on the day preceding the effective date of this Act, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Department of Defense to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

SEC. 14. SAVINGS PROVISIONS.

(a) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(1) which have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred under this Act, and

(2) which are in effect at the time this Act takes effect, or were final before the effective date of this Act and are to become effective on or after the effective date of this Act, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Secretary of State, the Secretary of Defense, or other authorized official, a court of competent jurisdiction, or by operation of law.

(b) PROCEEDINGS NOT AFFECTED.—The provisions of this Act shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before the ACDA at the time this Act takes effect, with respect to functions transferred by this Act but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this Act had not been enacted.

(c) SUITS NOT AFFECTED.—The provisions of this Act shall not affect suits commenced

before the effective date of this Act, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this Act had not been enacted.

(d) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the ACDA, or by or against any individual in the official capacity of such individual as an officer of the ACDA, shall abate by reason of the enactment of this Act.

(e) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the ACDA relating to a function transferred under this Act may be continued by the Department of State or the Department of Defense with the same effect as if this Act had not been enacted.

SEC. 15. SEPARABILITY.

If a provision of this Act or its application to any person or circumstance is held invalid, neither the remainder of this Act nor the application of the provision to other persons or circumstances shall be affected.

SEC. 16. TRANSITION.

The Secretary of State and the Secretary of Defense are authorized to utilize—

(1) the services of such officers, employees, and other personnel of the ACDA with respect to functions transferred to the Department of State or the Department of Defense, as the case may be, by this Act; and

(2) funds appropriated to such functions for such period of time as may reasonably be needed to facilitate the orderly implementation of this Act.

SEC. 17. REFERENCES.

(a) IN GENERAL.—Reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to—

(1) the Director of the ACDA, or the ACDA, with regard to functions transferred under section 6(a)(1)(A), shall be deemed to refer to the Secretary of State or to the Department of State; and

(2) the Director of the ACDA, or the ACDA, with regard to functions transferred under section 6(a)(1)(B) or section 6(a)(1)(C), shall be deemed to refer to the Secretary of Defense or the Department of Defense.

(b) INAPPLICABILITY OF CERTAIN PROVISIONS.—Any reference in law to the ACDA or the Director of the ACDA, other than the references described in subsection (a), shall have no force or effect.

SEC. 18. CONFORMING AMENDMENTS.

(a) The Arms Export Control Act is amended—

(1) in section 36(b)(1)(D) (22 U.S.C. 2776(b)(1)(D)), by striking "Director of the Arms Control and Disarmament Agency in consultation with the Secretary of State and" and inserting "Secretary of State in consultation with";

(2) in section 38(a)(2) (22 U.S.C. 2778(a)(2)), by striking "Director of the Arms Control and Disarmament Agency and shall take into account the Director's" and inserting "Secretary of State and shall take into account the Secretary's"; and

(3) in section 42(a) (22 U.S.C. 2791(a)), by striking "Director of the United States Arms Control and Disarmament Agency, the Director's" and inserting "Secretary of State, the Secretary's".

(b) Section 1706(b) of the United States Institute of Peace Act (22 U.S.C. 4605(b)) is amended—

(1) by striking out paragraph (3);
(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(3) in paragraph (4) (as redesignated by paragraph (2)), by striking "Eleven" and inserting "Twelve".

(c) The Atomic Energy Act of 1954 is amended—

(1) in section 57 b. (42 U.S.C. 2077(b))—

(A) in the first sentence, by striking "the Arms Control and Disarmament Agency," and

(B) in the second sentence, by striking "the Director of the Arms Control and Disarmament Agency," and

(2) in section 123 (42 U.S.C. 2153)—

(A) in subsection a. (in the text below paragraph (9))—

(i) by striking "and in consultation with the Director of the Arms Control and Disarmament Agency ('the Director'), and

(ii) by striking "and the Director" and inserting "and the Secretary of Defense".

(B) in subsection d., in the first proviso, by striking "Director of the Arms Control and Disarmament Agency" and inserting "Secretary of Defense", and

(C) in the first undesignated paragraph following subsection d., by striking "the Arms Control and Disarmament Agency,".

(d) The Nuclear Non-Proliferation Act of 1978 is amended—

(1) in section 4, by striking paragraph (2);

(2) in section 102, by striking "the Secretary of State, and the Director of the Arms Control and Disarmament Agency" and inserting "and the Secretary of State"; and

(3) in section 602(c), by striking "the Arms Control and Disarmament Agency,".

(e) Title 5, United States Code, is amended—

(1) in section 5313, by striking "Director of the United States Arms Control and Disarmament Agency,".

(2) in section 5314, by striking "Deputy Director of the United States Arms Control and Disarmament Agency," and

(3) in section 5315, by striking "Assistant Directors, United States Arms Control and Disarmament Agency (4)".

SEC. 19. EFFECTIVE DATE.

This Act shall take effect 1 year from its date of enactment.

By Mr. DANFORTH (for himself and Mr. INOUE):

S. 1086. A bill to foster the further development of the Nation's telecommunications infrastructure through the enhancement of competition, and for other purposes; to the Committee on Commerce, Science, and Transportation.

TELECOMMUNICATIONS INFRASTRUCTURE ACT OF 1993

Mr. DANFORTH. Mr. President, today Senator INOUE joins me in introducing the Telecommunications Infrastructure Act of 1993.

The telecommunications industry is among our country's most dynamic industries. The combination of new technologies and aggressive entrepreneurs has moved this industry from a stagnant market controlled by a few to an industry with burgeoning competition and flourishing ingenuity. Consumers will benefit from the expanded choices that this competition produces.

In such a dynamic environment, policies meant for stagnant times are not useful, and may even be harmful. Communications policy must reflect this changing environment. Of critical im-

portance will be the need to encourage competition and investment in our communications infrastructure, while maintaining high quality local phone service. The bill we are introducing today, the Telecommunications Infrastructure Act of 1993, advances that goal.

This bill will encourage private investment in the Nation's communications infrastructure. Greater infrastructure development will enhance a community's ability to attract new businesses and enable businesses and employees to enjoy the benefits of telecommuting. Additionally, improved telecommunications infrastructure can bring advanced communications services to small businesses, as well as residential, low-income, disadvantaged, education, medical, rural, and other users who might otherwise be excluded from the information age.

The premise of the bill is that increased competition in the provision of communications services in the local market will encourage private infrastructure development and have beneficial effects on the price, universal availability, variety and quality of communications services. Competition in the local market is likely to have the same beneficial effects that competition has had in the long distance market: Increased investment in the network, increased variety and quality of service, and lower prices. Competition in the local market will give consumers access to alternative providers and telephone companies greater incentive to upgrade their network.

The bill establishes two interrelated policies: First, open up the local telecommunications marketplace so that competition can prosper; and, second, require the same obligations of all communications carriers—local telephone companies as well as their competitors—to interconnect their networks and to make their networks available to all users. The bill also requires all carriers providing local services to ensure that telephone service is available to all consumers at reasonable prices.

TELECOMMUNICATIONS COMPETITION

The bill advances competition in communications services by setting national policy in four areas: market entry, network interconnection and access, number portability, and regulatory flexibility for competitive services.

MARKET ENTRY

In some areas of the country, State governments have restricted potential competition in the local market by imposing barriers to entry. The bill prohibits any statute, regulation or other legal barrier which limits the ability of a communications carrier to provide services.

NETWORK INTERCONNECTION AND ACCESS

The ability of carriers operating different networks to interconnect and

interoperate their networks is critical to providing carriers incentives for investing in the infrastructure. Full interconnection of all networks will assure that many service providers will be able to offer services on interlinked facilities. The consumer is the ultimate beneficiary of this universal availability.

To ensure the interconnection and interoperability of these diverse networks, the bill requires communications carriers to provide to any other carrier interconnection to the carrier's network, and nondiscriminatory access to any of the carrier's facilities, functions and information necessary to the interoperability of both carriers' networks.

NUMBER PORTABILITY

Number portability refers to the ability of a user of communications services to retain an existing telephone number when switching from one carrier to another. Portability has become a critical factor in the development and marketing of new services by competitive providers. The bill requires that number portability be made available as soon as it is technically feasible. A neutral entity will be responsible for making numbers available to users on an equitable basis.

REGULATORY FLEXIBILITY FOR COMPETITIVE SERVICES

Where competition exists, the bill provides for regulatory flexibility. The FCC may exempt communications carriers from the FCC rate filing requirement if the carrier lacks market power. The bill also permits the FCC and the States to provide additional flexibility in pricing competitive services so long as the rates for basic telephone service and noncompetitive services, remain reasonable and universal service is preserved.

UNIVERSAL SERVICE

The States, in coordination with the FCC, must ensure the advancement of universal service and set as their goal direct assistance for individuals who cannot afford the cost of their communications service. The bill requires all communications carriers to contribute to the preservation of universal service.

INFRASTRUCTURE INVESTMENT

RURAL MARKETS AND NONCOMPETITIVE MARKETS

Under the bill, regulators must ensure that consumers in rural and noncompetitive markets have access to high quality telecommunications network facilities and capabilities. If market incentives fail to provide such facilities and capabilities, regulators may take other action to ensure this goal.

TELEPHONE COMPANY ENTRY INTO CABLE

The bill permits all telephone companies to provide cable television service within their telephone service areas under certain conditions. They are al-

ready able to provide cable in rural areas as well as outside their telephone service areas. Allowing telephone companies to provide cable television over their telephone networks gives them an incentive to upgrade those networks; for example, with fiber optics, and will encourage new competition to existing cable operators.

To advance the goals of infrastructure development and competition, the bill bars telephone companies from buying out or otherwise combining with existing cable companies, except in areas where telephone companies are already permitted to own cable systems; that is, in rural areas and outside their telephone service areas. Telephone companies also are required to have interconnection tariffs in place before they offer cable in their telephone service areas.

The bill directs the FCC to enforce regulations barring telephone companies from cross-subsidizing their cable systems with telephone revenues. It also requires a separate subsidiary for such cable operations. Telephone-company-owned cable systems would have to comply with the franchising provisions and other requirements imposed on other cable companies.

NETWORK STANDARDS AND PLANNING

Network Standards.—Industry standards are critical to interconnection and interoperability. The bill requires the FCC to encourage communications carriers to develop standards for interconnection and interoperability of their networks and to assist the industry in the development and implementation of those standards. The FCC may establish appropriate standards when industry participants fail to reach agreement.

Network Planning.—The bill requires the FCC to permit local telephone companies in the same geographic area to engage in joint coordinated planning and design in the provision of public switched network infrastructure and services. All communications carriers will be required to make available information to other carriers and information service providers in the same geographic area about the deployment of communications equipment that will affect their ability to interconnect in that area.

LONG DISTANCE SERVICES

The Bell Companies currently are barred from providing telecommunications services that cross the local boundaries established by the divestiture decree, known as local access and transport areas [LATA's]. The bill amends the interLATA [long distance] restriction to allow the Bell Companies to provide some cellular and cable television services across LATA boundaries.

INFORMATION SERVICES

The bill imposes safeguards to prevent the Bell Companies from cross-

subsidizing their information services, and from discriminating in the provision of those services. The bill requires the Bell Companies to use separate subsidiaries to offer electronic publishing services. It also gives competitors the right to obtain access to information about consumers' telephone use, upon a consumer's written consent.

DISABILITY ACCESS

The bill requires the FCC to ensure that advances in network capabilities and communications services deployed by communications carriers are designed to be accessible to individuals with disabilities.

CONCLUSION

Public policies aimed at promoting competition and preventing market abuses simultaneously advance innovation and developments in the marketplace. I am confident that the introduction of local market competition will spur the technological development of the Nation's telecommunications infrastructure. That is the premise of the bill we introduce today. This legislation will meet the changing demands of consumers, contribute to this country's economy, and advance the competitiveness of the United States in international markets.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

There being no objection the bill was ordered to be printed in the RECORD, as follows:

S. 1086

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Telecommunications Infrastructure Act of 1993".

SEC. 2. FINDINGS.

The Congress finds that—

(1) it is in the public interest to encourage the further development of the Nation's telecommunications infrastructure as a means of enhancing the quality of life and promoting economic development and international competitiveness;

(2) telecommunications infrastructure development is particularly crucial to the continued economic development of rural areas that may lack an adequate industrial or service base for continued development;

(3) advancements in the Nation's telecommunications infrastructure will increase the public welfare by helping to speed the delivery of new services, such as distance learning, remote medical sensing, and distribution of health information;

(4) greater infrastructure development is needed to bring advanced telecommunications services to small business, disadvantaged, residential, low-income, educational, medical, and rural users;

(5) increased competition in telecommunications services will encourage infrastructure development and have beneficial effects on the price, universal availability, variety, and quality of telecommunications services;

(6) the emergence of competition in telecommunications services has already contributed, and can be expected to continue contributing, to the modernization of the in-

frastructure; competition in the long distance industry and the communications equipment market has brought about lower prices and higher quality services;

(7) competition for local communications services has already begun to benefit the public; competitive access providers have deployed thousands of miles of optical fiber in their local networks; local exchange carriers have been prompted by competition to accelerate the installation of optical fiber in their own networks;

(8) a diversity of telecommunications carriers aids network reliability by providing redundant capacity, thereby lessening the impact of any network failure;

(9) competition must proceed under rules that are fair to all telecommunications carriers and protect consumers;

(10) all telecommunications carriers, including competitors to the telephone companies, should contribute to universal service and should make their networks available for interconnection by others;

(11) national policy is needed to advance competition in the provision of all telecommunications services;

(12) removal of all State and local barriers to entry into the telecommunications services market and provision of national standards for interconnection are essential to the development of a national, interstate telecommunications infrastructure;

(13) current Federal and State regulatory policies must be revised and supplemented to advance the development of competition in the telecommunications services market;

(14) increasing the availability of interconnection and interoperability among the facilities of telecommunications carriers will help stimulate the development of competition among providers;

(15) telecommunications number portability will eliminate a significant barrier to competition in the provision of telecommunications services;

(16) restrictions on resale and sharing of telecommunications networks retard the growth of competition and restrict the diversity of services available to the public;

(17) additional regulatory measures are needed to allow consumers in rural markets and noncompetitive markets the opportunity to benefit from high-quality telecommunications capabilities;

(18) regulatory flexibility for existing providers of telephone exchange service is necessary to allow them to respond to competition;

(19) the Federal Communications Commission should take steps to ensure network reliability and the development of network standards;

(20) access to switched, digital telecommunications service for all segments of the population promotes the core First Amendment goal of diverse information sources by enabling individuals and organizations alike to publish and otherwise make information available in electronic form;

(21) the national welfare will be enhanced if community newspapers are provided ease of entry into the operation of information services disseminated through electronic means primarily to customers in the localities served by such newspapers at reasonable, nondiscriminatory rates to such newspapers;

(22) a clear national mandate is needed for full participation in access to telecommunications networks and services by individuals with disabilities;

(23) the obligations of telecommunications carriers includes the duty to furnish tele-

communications services which are designed to be fully accessible to individuals with disabilities in accordance with such standards as the Federal Communications Commission may prescribe;

(24) it is in the public interest to encourage competition to existing cable television service providers; and

(25) amending the legal barriers to telephone company provision of video programming will encourage competition to existing cable television service providers and encourage telephone companies to upgrade their telecommunications facilities to enable them to deliver video programming, as long as telephone companies are prohibited from buying or combining with existing cable companies.

SEC. 3. PURPOSES.

The purposes of this Act are to—

(1) encourage private investment in, and advancement of, the Nation's telecommunications infrastructure;

(2) ensure the availability of the widest possible range of competitive choices in the provision of telecommunications and cable television services;

(3) eliminate the existing regulatory barriers to competition in the provision of telecommunications and cable television services;

(4) encourage interconnection and interoperability among telecommunications carriers;

(5) ensure the universal availability of telephone service;

(6) encourage the continued development and deployment of advanced and reliable capabilities and services in telecommunications networks; and

(7) protect the privacy interests of users of telecommunications services.

SEC. 4. DEFINITIONS.

Section 3 of the Communications Act of 1934 (49 U.S.C. 153) is amended by adding at the end the following new subsections:

"(hh) 'Local exchange carrier' means a provider of telephone exchange service that is classified by the Commission as a dominant carrier.

"(ii) 'Telecommunications' means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received, by means of electromagnetic transmission, with or without benefit of any closed transmission medium, including all instrumentalities, facilities, apparatus, and services (including the collection, storage, forwarding switching, and delivery of such information) essential to such transmission.

"(jj) 'Telecommunications service' means the offering of—

"(1) telecommunications facilities that (A) are owned or controlled by a provider of telephone exchange service or (B) interconnect with the network of a provider to telephone exchange service; or

"(2) telecommunications by means of such telecommunications facilities.

Such term does not include information services.

"(kk) 'Telecommunications carrier' means any provider of telecommunications services, except that such term does not include hotels, motels, hospitals, and other aggregators of telecommunications services as defined in section 226.

"(ll) 'Telecommunications number portability' means the ability of users of telecommunications services to retain existing telecommunications numbers without impairment of quality, reliability, or conven-

ience when switching from one telecommunications carrier to another.

"(mm) 'Information service' means the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information which may be conveyed via telecommunications, except that such service does not include any use of any such capability for the management, control, or operation of a telecommunications system or the management of a telecommunications service.

"(nn) 'Electronic publishing service' means the provision of any information which the provider of the information has, or has caused to be, originated, authored, compiled, collected, or edited, or in which such provider has a direct or indirect financial or proprietary interest, and which is disseminated to an unaffiliated person through some electronic means."

SEC. 5. TELECOMMUNICATIONS COMPETITION.

Title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) is amended by adding at the end the following new section:

"SEC. 229. TELECOMMUNICATIONS COMPETITION.

"(a) REMOVAL OF BARRIERS TO ENTRY.—Subject to the provisions of section 301 of this Act, and after 1 year has elapsed following the date of enactment of this section, no State or local statute or regulation, or other State or local legal requirement, shall prohibit or limit in a manner inconsistent with Federal regulations or with this Act the ability of any entity to provide interstate or intrastate telecommunications services.

"(b) REGULATORY AUTHORITY.—The Commission shall retain full authority to regulate the entry and operations of foreign entities or domestic affiliates of foreign entities seeking to provide telecommunications services. Notwithstanding section 332(c)(2), to the extent that they provide telecommunications services, telecommunications carriers shall be deemed common carriers under this Act, except where the provision of telecommunications services by such carriers is de minimis.

"(c) OBLIGATIONS OF TELECOMMUNICATIONS CARRIERS.—Notwithstanding any other provision of this Act, the Commission shall prescribe regulations to require each telecommunications carrier, upon bona fide request, to provide to any entity seeking to provide telecommunications services or information services, on reasonable terms and conditions—

"(1) interconnection to the carrier's telecommunications facilities at any technically feasible point within the carrier's network;

"(2) nondiscriminatory access to any of the carrier's telecommunications facilities and information necessary to the transmission and routing of any telecommunications service or information service and the interoperability of both carriers' networks;

"(3) nondiscriminatory access, where technically feasible, to the poles, ducts, conduits and rights of way owned or controlled by the carrier;

"(4) nondiscriminatory access to the network functions of the carrier's telecommunications network, which shall be offered on an unbundled basis; and

"(5) telecommunications services and network functions without any restrictions on the resale or sharing of those services and functions.

The States may prescribe regulations implementing paragraphs (1) through (5) for intrastate services so long as such regulations are not inconsistent with those prescribed by the Commission.

"(d) UNIVERSAL SERVICE.—

"(1) ROLE OF TELECOMMUNICATIONS CARRIERS.—All telecommunications carriers shall contribute to the preservation and advancement of universal service.

"(2) ROLE OF STATES.—The States, in coordination with the Commission, shall ensure the preservation and advancement of universal service.

"(3) ASSISTANCE TO CERTAIN PERSONS.—In administering this subsection, the States and the Commission shall have as their goal directly assisting individuals or entities that cannot afford the cost of their telecommunications service or equipment.

"(e) CONSUMER INFORMATION.—As competition for telecommunications services develops, the Commission and State regulatory authorities shall take action to ensure that consumers are given the information necessary to make informed choices among their telecommunications alternatives.

"(f) TELECOMMUNICATIONS NUMBER PORTABILITY.—The commission shall prescribe regulations to ensure that—

"(1) telecommunications number portability shall be available, upon request, as soon as technically feasible; and

"(2) an impartial entity shall administer telecommunications numbering and make such numbers available on an equitable basis.

"(g) RECIPROCAL COMPENSATION AGREEMENT.—Telecommunications carriers shall compensate each other on a reciprocal and equivalent basis for termination of telecommunications services on each other's networks. Compensation shall be determined by negotiation between carriers, or by the Commission's decision if negotiation fails.

"(h) REGULATORY FLEXIBILITY FOR COMPETITIVE SERVICES.—

"(1) EXEMPTION FROM REQUIREMENT TO FILE SCHEDULES OF CHARGES.—The Commission may exempt a telecommunications carrier from the provisions of section 203 to the extent that the carrier does not have market power.

"(2) PRICING FLEXIBILITY.—The Commission and the States may permit telecommunications carriers to have pricing flexibility for services that the Commission finds are competitive. In implementing this subsection, the Commission and the States shall ensure that rates for basic telephone service and for services that are not competitive remain just and reasonable and that universal service is preserved and advanced.

"(i) RULES FOR FOREIGN OWNERSHIP.—The provisions of section 310(b) shall not apply to any lawful foreign ownership in a telecommunications carrier prior to May 24, 1993, if that carrier was not regulated as a common carrier prior to the date of enactment of this section and is deemed to be a common carrier under this Act."

SEC. 6. INFRASTRUCTURE INVESTMENT.

Title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

"SEC. 230. INFRASTRUCTURE INVESTMENT.

"(a) RURAL MARKETS AND NONCOMPETITIVE MARKETS.—If State regulatory authorities fail to achieve the goal of ensuring that telecommunications carriers provide consumers in rural markets and noncompetitive markets with access to high quality telecommunications network facilities and capabilities which—

"(1) provide subscribers with sufficient network capacity to access information services that provide a combination of voice, data, image, and video; and

"(2) are available at nondiscriminatory rates that are based on reasonably identifiable costs of providing such services, then the Commission may take any action necessary to achieve that goal.

"(b) FULL EFFECTUATION.—The Commission shall have the authority to preempt any State or local statute or regulation, or other State or local legal requirement, that prevents the full effectuation of the goal embodied in subsection (a).

"(c) STATE REGULATORY INCENTIVES.—The States are encouraged to implement regulatory incentives to promote the development of high quality telecommunications network facilities and capabilities. If regulatory incentives fail to result in the deployment of high quality telecommunications network facilities and capabilities in rural markets and noncompetitive markets, the States may adopt other methods to ensure that the goal of subsection (a) is achieved.

"(d) NETWORK STANDARDS AND PLANNING.—

"(1) NETWORK STANDARDS.—

"(A) INTERCONNECTION AND INTEROPERABILITY STANDARDS.—The Commission shall encourage telecommunications carriers and telecommunications equipment manufacturers to develop standards to ensure interconnection and interoperability of telecommunications networks.

"(B) INDUSTRY ASSISTANCE.—The Commission shall, when necessary, establish deadlines, create incentives, or use other mechanisms to assist the industry to develop and implement such standards.

"(C) COMMISSION AUTHORITY TO ESTABLISH STANDARDS.—The Commission may establish standards when industry participants fail to reach agreement.

"(2) NETWORK PLANNING.—The Commission shall prescribe regulations establishing procedures to ensure that—

"(A) telecommunications carriers shall make available timely information to other such carriers and information service providers in the same geographic area about the deployment of telecommunications equipment, including software integral to such telecommunications equipment, including upgrades, that will affect a telecommunications carrier's or information service provider's ability to interconnect or interoperate in the same geographic area;

"(B) telecommunications carriers shall not be required to share information required under subparagraph (A) with anyone, including carriers with whom they directly compete, except as may be necessary to meet the interconnection and interoperability requirements set forth in this paragraph; and

"(C) the recipient of any information described in subparagraph (A) shall use it only for its own interconnection and interoperability.

"(3) DISABILITY ACCESS.—The Commission and the States shall ensure that advances in network capabilities and telecommunications services deployed by telecommunications carriers are designed to be accessible to individuals with disabilities."

SEC. 7. IMPLEMENTING REGULATIONS AND RURAL DEVELOPMENT.

The Commission shall issue regulations to implement this Act within 12 months after the date of enactment of this Act. Such regulations shall take effect within 6 months after their issuance, except that the Commission may extend such effective date for up to 24 additional months for any small carrier providing telephone exchange service in rural areas, upon a showing by the carrier that compliance would not be technically feasible without additional time.

SEC. 8. RESTRICTIONS ON OWNERSHIP AND CONTROL OF CABLE TELEVISION SYSTEMS BY TELEPHONE COMPANIES.

Section 613(b) of the Communications Act of 1934 (47 U.S.C. 553(b)) is amended to read as follows:

"(b)(1) No local exchange carrier, subject in whole or in part to title II of this Act, nor any affiliate of such carrier, owned by, operated by, controlled by, or under common control with such carrier, may—

"(A) purchase or otherwise acquire, directly or indirectly, more than a 5 percent financial interest, any management interest, or any other interest, in any cable system that is providing service within the carrier's telephone exchange service area and is owned by an unaffiliated person; or

"(B) enter into any joint venture or partnership with such cable system.

"(2) A local exchange carrier shall not provide video programming directly to subscribers in its telephone exchange service area unless—

"(A) such video programming is provided through a separate subsidiary as set forth in section 233; and

"(B) a tariff filed in compliance with the regulations prescribed under section 229 has been approved by the Commission for that area or the Commission has failed, within 12 months, to act upon a tariff filed pursuant to section 229 for that area.

"(3) A local exchange carrier that provides video programming directly to subscribers is a cable operator as defined in section 602.

"(4) A local exchange carrier shall not engage in practices prohibited by the Commission or by a State (including but not limited to the improper assignment of costs) that subsidize directly or indirectly its video programming operations.

"(5) Paragraphs (1) and (2) shall not apply to a local exchange carrier to the extent that such carrier provides telephone exchange service in an area to which an exemption applies under section 63.58 of title 47, Code of Federal Regulations (as in effect on the date of enactment of the Telecommunications Infrastructure Act of 1993).

"(6) A cable operator shall not provide telecommunications service directly to subscribers in its cable service area unless such telecommunications service is provided through a separate subsidiary as set forth in section 233.

"(7) A cable operator shall not engage in practices prohibited by the Commission or by a State (including but not limited to the improper assignment of costs) that subsidize directly or indirectly its telecommunications service."

SEC. 9. INTEREXCHANGE SERVICES ASSOCIATED WITH CABLE TELEVISION SERVICE.

Title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

"SEC. 231. INTEREXCHANGE SERVICES ASSOCIATED WITH CABLE TELEVISION SERVICE.

"(a) AUTHORITY.—Subject to the requirements of this section and any regulations prescribed thereunder, but notwithstanding any restriction or obligation imposed before the date of enactment of this section pursuant to the Modification of Final Judgment on the lines of business in which a Bell Telephone Company may engage, a Bell Telephone Company may, solely for the purpose of providing cable service, own and operate—

"(1) receive-only antennas, satellite master antenna television facilities, and satellite earth stations; and

"(2) inter-LATA distribution facilities.

"(b) RESTRICTIONS.—A Bell Telephone Company—

"(1) may own and operate the antennas, stations, and facilities described in subsection (a)(1) and (2) only through one or more affiliates that are totally separate from the Company;

"(2) may use inter-LATA distribution facilities only insofar as such use is necessary to provide cable service across LATA boundaries; and

"(3) may neither select nor recommend—

"(A) the satellite uplink service, or

"(B) the satellite transponder service that receives the uplink transmission and provides the downlink transmission,

used for any of the receive-only antennas, satellite master antenna television facilities, or satellite earth stations owned and operated by the Company as authorized by this section.

"(C) DEFINITIONS.—As used in this section:

"(1) The term 'Bell Telephone Company' means any of the companies listed in appendix A of the Modification of Final Judgment, and includes any successor or assign of any such company, but does not include any affiliate of any such company.

"(2) The term 'Modification of Final Judgment' means the decree entered August 24, 1982, in *United States v. Western Electric, Civil Action No. 82-0192* (United States District Court, District of Columbia).

"(3) The term 'LATA' means the local access and transport area as defined in the Modification of Final Judgment.

"(4) The term 'cable service' has the meaning given that term under section 602."

SEC. 10. INTEREXCHANGE SERVICES RELATING TO CELLULAR MOBILE RADIO SERVICES.

Title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

"SEC. 232. INTEREXCHANGE SERVICES RELATING TO CELLULAR MOBILE RADIO SERVICES.

"(a) PROVISION OF INTEREXCHANGE SERVICES.—

"(1) AUTHORITY.—Notwithstanding any restriction or obligation imposed before the date of enactment of this section pursuant to the Modification of Final Judgment on the lines of business in which a Bell Telephone Company may engage, a Bell Telephone Company or its cellular affiliate may provide the interexchange services authorized under this section solely as necessary to provide cellular mobile radio services.

"(2) INTERSYSTEM HANDOFF.—A Bell Telephone Company or its cellular affiliate may provide intersystem handoff, across LATA boundaries, of cellular mobile radio transmissions between adjacent cellular systems, including the provision of such transmission facilities as are necessary to allow the continuation of service due to the movement of the mobile telephone unit or the characteristics of radio propagation.

"(3) AUTOMATIC CALL DELIVERY.—A Bell Telephone Company or its cellular affiliate may provide the routing of cellular transmissions between its cellular system and a cellular system located in another LATA, for purposes of completing a call to one of its out-of-region cellular customers.

"(4) USE OF LEASED FACILITIES.—Interexchange facilities necessary for intersystem handoff across LATA boundaries or inter-LATA routing of cellular transmissions, as permitted under paragraphs (2) and (3), shall be leased by a Bell Telephone Company or its cellular affiliate from a carrier (other than a

Bell Telephone Company or its affiliate) authorized to provide interexchange telecommunications.

"(b) EQUAL ACCESS AND PRESUBSCRIPTION.—Notwithstanding any restriction or obligation imposed pursuant to the Modification of Final Judgment before the date of enactment of this section, the Commission shall prescribe uniform equal access and long distance presubscription requirements for providers of all cellular and two-way wireless services.

"(c) DEFINITIONS.—As used in this section, the terms 'Bell Telephone Company,' 'Modification of Final Judgment,' and 'LATA' have the meaning given those terms under section 231."

SECTION 11. PROVISION OF INFORMATION SERVICES.

Title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), as amended by this Act, is further amended by adding at the end thereof the following new section:

"SEC. 233. PROVISION OF INFORMATION SERVICES.

"(a) PROVISION OF INFORMATION SERVICES.—A Bell Telephone Company or an affiliate thereof may provide information services only subject to this section and title VI.

"(b) SEPARATE SUBSIDIARY.—

"(1) IN GENERAL.—A Bell Telephone Company or affiliate thereof may provide electronic publishing services only through a subsidiary that is separated from the telephone exchange service operations of the Company, in accordance with the requirements of this subsection and the regulations prescribed by the Commission to carry out this subsection.

"(2) TRANSACTION REQUIREMENTS.—Any transaction between a subsidiary required by this section and any Bell Telephone Company or between such subsidiary and any other affiliate of the Company shall not be based upon any preference or discrimination in favor of the subsidiary arising out of the subsidiary's affiliation with the Company.

"(3) SEPARATE OPERATION AND PROPERTY.—A subsidiary required by this subsection, except for the provision of enhanced emergency services, may not enter into any joint venture or partnership with the Bell Telephone Company or any affiliate of the Company.

"(4) SEPARATE COMMERCIAL ACTIVITIES.—A subsidiary required by this subsection shall carry out directly and separate from the Bell Telephone Company its own marketing and sales.

"(5) BOOKS, RECORDS, AND ACCOUNTS.—Any subsidiary required by this subsection shall maintain books, records, and accounts in a manner prescribed by the Commission which shall be separate from the books, records, and accounts maintained by the Bell Telephone Company and the other affiliates of the Company, and which shall identify any conduct of business with the Company and any such affiliates.

"(6) PROVISION OF SERVICES AND INFORMATION.—A Bell Telephone Company may not provide any services (including gateway services) or information to a subsidiary required by this subsection unless such services or information are made available to others on the same terms and conditions.

"(c) PREVENTION OF CROSS SUBSIDIES.—Any Bell Telephone Company that provides information services, or which has an affiliate that is engaged in the provision of such services, shall establish and administer, in accordance with the requirements of this subsection and the regulations prescribed thereunder, a cost allocation system that, to-

gether with the subsidiary requirements of subsection (b), is intended to prohibit any cost of providing such services from being subsidized by revenue from telephone exchange service or telephone exchange access services.

"(d) **PROVISION OF GATEWAY SERVICES.**—Any Bell Telephone Company or affiliate thereof that offers a gateway service shall make such service available concurrently to all of its subscribers under nondiscriminatory rates, terms, and conditions, and shall offer gateway service functions to all providers of information services on non-discriminatory rates, terms, and conditions.

"(e) **DEFINITIONS.**—As used in this section:

"(1) The term 'affiliate' means any organization or entity that, directly or indirectly, owns or controls, or is owned or controlled by, or is under common ownership or control with, a Bell Telephone Company. For purposes of this paragraph, the terms 'own', 'owned', and 'ownership' mean a direct or indirect equity interest (or equivalent thereof) of more than 5 percent of an organization or entity, or the right to more than 5 percent of the gross revenues of an organization or entity under a revenue sharing or royalty agreement, or any substantial management or financial interest.

"(2) The term 'Bell Telephone Company' has the meaning given that term under section 231.

"(3) The term 'gateway service' means an information service that, at the request of the provider of an electronic publishing service or other information service, provides a subscriber with access to such electronic publishing service or other information service, utilizing the following functions: data transmission, address translation, billing information, protocol conversion, and introductory information content."

SEC. 12. PRIVACY OF CUSTOMER PROPRIETARY NETWORK INFORMATION.

Title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

"SEC. 234. PRIVACY OF CUSTOMER PROPRIETARY NETWORK INFORMATION.

"(a) **PRIVACY REQUIREMENTS FOR TELECOMMUNICATIONS CARRIERS.**—A telecommunications carrier—

"(1) shall not disclose any customer proprietary network information to any person, except—

"(A) as required by law; or

"(B) upon affirmative written request by the customer to which it relates;

"(2) shall disclose such information, upon affirmative written request by the customer, to a service provider designated by the customer;

"(3) shall, whenever such telecommunications carrier provides any aggregate information based on customer proprietary network information or any data base or other compilation of customer proprietary information to any person, notify the Commission of the availability of such aggregate or compiled information and shall provide such aggregate or compiled information on the same terms and conditions to any other service provider upon reasonable request therefor; and

"(4) shall not discriminate between affiliated and unaffiliated service providers in providing access to, or in the use and disclosure of, individual and aggregate or compiled information made available consistent with this subsection.

"(b) **PROVISION OF SUBSCRIBER LIST INFORMATION.**—Notwithstanding subsection (a), a

local exchange carrier shall provide subscriber list information under nondiscriminatory and reasonable rates, terms, and conditions to any person upon reasonable request. A local exchange carrier shall provide each of its subscribers with the opportunity to prohibit or limit disclosure of his or her subscriber list information.

"(c) **DEFINITIONS.**—As used in this section:

"(1) The term 'customer proprietary network information' means—

"(A) information which (i) relates to the quantity, technical configuration, type, destination, and amount of use of telecommunications service subscribed to by any customer of a telecommunications carrier, and (ii) is available to the telecommunications carrier by virtue of the telecommunications carrier-customer relationship;

"(B) information contained in the bills for telecommunications service received by a customer of a telecommunications carrier; and

"(C) such other information concerning the customer as is (i) available to the telecommunications carrier by virtue of the customer's use of the carrier's services, and (ii) specified as within the definition of such term by such rules as the Commission shall prescribe consistent with the public interest.

"(2) The term 'aggregate information' means collective data that relates to a group or category of services or customers, from which individual customer identities or characteristics have been removed.

"(3) The term 'subscriber list information' means information identifying a local exchange carrier subscriber's name, telephone number, address, billing name and address, or primary directory advertising listing, or any combination thereof."

SEC. 13. JURISDICTION.

Section 2 of the Communications Act of 1934 (47 U.S.C. 153) is amended—

"(1) in subsection (b), by inserting "and sections 229 and 233" immediately after "sections 223 through 227, inclusive,"; and

"(2) by adding at the end the following new subsection:

"(c)(1) notwithstanding subsection (b), a State may not regulate the rates, terms, or conditions for the offering of information services, except as provided in title VI."

Mr. INOUE. Mr. President, I am very pleased to join with my good friend, Senator DANFORTH, today in announcing the introduction of the Telecommunications Infrastructure Act of 1993. This is a landmark day in the history of the Senate's consideration of telecommunications infrastructure policy. Consumers, educators, academics, and the telecommunications industry have been calling for Congress to address the critical need for a national infrastructure policy. We are here today to say that we have heard that call and we are responding to this need.

The bill that we are jointly introducing today will speed the introduction of advanced technology to everyone's home and business. These new services are essential for the delivery of home health care, two-way, interactive educational instruction, and more rapid business communications. Simultaneously, the bill creates the incentives for all participants in the telecommunications industry to invest in the network and to gain access to the telephone network to provide their services.

Let me be clear about a few things: This bill involves no Government funding. This country has a long history of private investment in the telephone network, and there is no need to depart from that tradition today. We do not need the Federal Government to be spending valuable taxpayer dollars to build a new telecommunications network.

Neither does this bill mandate any entity to build a certain technology by a certain date. While I sympathize with the need to ensure that all citizens are able to obtain access to certain technologies, it is our belief that consumers are better served by allowing market forces to dictate the speed of delivery of these new services based on consumer demand.

To accomplish these goals, the bill promotes competition to the local telephone companies. Our recent history in the telecommunications industry demonstrates that competition is essential to promoting investment in new technologies and to ensuring lower rates for consumers. Competition has worked for long-distance service and in the market for telecommunications equipment. There are now four fiber optic networks available for interstate telephone calls, and the diversity of technology for telecommunications equipment is truly astounding. But to date, there is little or no competition for local telephone service.

The bill, therefore, preempts State laws that restrict the entry of competitors to local telephone companies, and it requires local telephone companies to open their networks to all users. This section of the bill is consistent with the cable law that was passed last year, with the FCC's open network architecture plans, and with the plans of Ameritech, Rochester Telephone Co., and New York Telephone Co.

Once the telephone companies succeed in opening their networks to competition, the bill will permit them to enter the business of providing cable television. While I have had my doubts about the wisdom of allowing telephone companies to enter cable in the past, I believe that, under the conditions set forth in this bill, the telephone companies could provide significant competition to the cable companies. The bill thus requires telephone companies to comply with the cable act, including the requirement that they obtain a local franchise, and to use separate subsidiaries. Telephone companies are also prohibited from buying out existing cable companies in order to promote competition.

The bill permits the Bell Companies, a small amount of relief from the interexchange—or inter-LATA—restriction to ease their ability to provide cellular and cable services. To this point, however, the Bell Companies have not made the case for removing the long-distance restriction. There are

already four fiber optic networks across the United States. The main hurdle to the advance of these new services is the last mile, the deployment of advanced network capabilities into the local market. It is unclear how removing the long-distance services will promote investment in the local market.

Further, it is important to note that, under the MFJ, the long-distance and manufacturing restrictions disappear once there is competition for local telephone service. It is my hope that this bill will stimulate enough competition for there to be no need for the MFJ restrictions in the near future.

Finally, this bill contains safeguards to prevent the Bell Companies from engaging in cross-subsidization and self-dealing when they enter the information services market. The bill requires Bell Companies to set up separate subsidiaries for their provision of electronic publishing services. It also contains provisions to ensure that customer proprietary network information is made available to all competitors in a nondiscriminatory fashion.

Mr. President, it is impossible for me to explain in this introductory statement every single provision in this bill. There are many other measures of significant importance that I have not listed. Let me assure everyone, however, that we will maintain an open process as this bill moves forward. I know that Senator DANFORTH joins me in saying that we look forward to working with all members of the public, the industry, and consumer groups, on this bill. This is just the beginning of the process. It is my fervent desire that through hard work and through the hearing process, we can fashion a bill that will obtain the support of my colleagues.

In sum, this bill contains a balanced approach to upgrading the telephone infrastructure. It relies on market incentives rather than Government funding or Government mandates. It requires telephone companies to open their networks to promote competition in return for entry into the cable business. I believe this bill has both the political consensus and the intellectual strength to garner significant support in the coming Congress, and I look forward to working with my colleagues to obtain its passage in the 103d Congress.

By Mr. KOHL (for himself, Ms. MOSELEY-BRAUN, Mrs. FEINSTEIN, and Mr. LAUTENBERG):

S. 1087. A bill to amend title 18, United States Code, to prohibit the possession of a handgun or ammunition by, or the private transfer of a handgun or ammunition to, a juvenile; to the Committee on the Judiciary.

YOUTH HANDGUN SAFETY ACT OF 1993

Mr. KOHL. Mr. President, I rise today—with my colleagues CAROL MOSELEY-BRAUN, DIANNE FEINSTEIN,

and FRANK LAUTENBERG—to introduce the Youth Handgun Safety Act of 1993. This bill would make it a Federal crime to sell a handgun to a minor, and for a minor to possess a handgun under most—but not all—circumstances. Let me tell you why we need this crucial legislation.

Over the past few years, while we have debated numerous crime bills and firearms measures, gun related violence has increased. Last year roughly 15,000 Americans—including 3,000 juveniles—were murdered by firearms. Their lives were ended; their families and friends were forced to grieve their deaths; and our whole Nation is bleeding as a result. And we in government keep studying, debating, and procrastinating.

This violence, Mr. President, is killing all of us. It is killing our spirit; it is killing our hopes; and most sadly, Mr. President, it is killing our dreams.

A few weeks ago I saw some graphic evidence of the impact that violence is having on us. I got a letter from a fourth grade teacher at the Donges Bay Elementary School in Mequon, WI.—Ms. Figg. In her letter, she explained that her class had been studying Martin Luther King Jr.'s I Have a Dream speech. One of the assignments she gave her students was to write their own I Have a Dream speech.

It was, I thought, a creative assignment. And as I prepared to skim a few of the essays she enclosed, I fully expected that these students from a relatively prosperous, suburban community would be dreaming of a future full of good jobs, nice homes, happy families.

But that is not what I read.

Many of the speeches—too many of the speeches—discussed far more basic dreams of the future. They dreamed of a future in which no more kids would be killed by guns. One student, Tina Tarantino, wrote “children are killing each other too much! We need to get guns off the street.” Another child, Andrea Nelson wrote, “I have a dream that kids can walk outside without worrying about someone killing * * * them * * *. I think guns are responsible for many children's deaths.” There were other children in the class with similar dreams and I ask unanimous consent that all of the essays from that fourth grade class appear in the RECORD at the conclusion of these remarks along with a copy of this legislation.

The sad truth, Mr. President, is that the dreams of these children reflect the fears of many Americans. According to a Harris poll released last week, one in five Americans know a child shot by another child. And 77 percent of the respondents feel that “young people's safety is endangered by * * * so many guns.” Additional statistics tell an even more alarming story about how gun-related violence envelops our

young people: The National School Safety Center estimates that more than 100,000 students carry a gun to school every day; 42 students were expelled this year for bringing guns to school in my home town of Milwaukee; and the leading cause of death for both black—and now white—teenage boys in America is gunshot wounds.

Mr. President, children are being ravaged by violence today. From our central cities to our rural communities—for kids who grow up in poverty and kids who grow up surrounded by affluence—it is all the same. A world of threats and violence and death. That is not the kind of world our children deserve; it is not the kind of world we ought to give them. But it is the world they live in.

Gun violence is a problem I have been concerned with since coming to this body. During the 101st Congress I authored the gun-free school zones bill, which is now putting people in jail who bring guns near schools. In this Congress I introduced the Gun Theft Act of 1993 (S. 504), which would make stealing a gun a Federal crime. I am also a long-time backer of the Brady bill, and expect us to enact it this Congress.

Today, we are introducing the Youth Handgun Safety Act, which specifically focuses on the problem of kids and guns. My proposal is simple, effective and straightforward. Federal law still allows the sale and conveyance of handguns to minors, and my bill would close this shameful loophole. In addition, the measure would prohibit minors from possessing handguns or handgun ammunition, except when the minor is a member of the Armed Forces or is using the firearm under adult supervision. It is not a panacea for the gun violence that afflicts our children, of course, but it is a step in the right direction. And once and for all, it will put the Federal Government unequivocally behind this fundamental proposition: Kids should not have handguns and adults should not give handguns to kids.

Mr. President, Ms. Figg's pupils should not have to dream of a world in which kids are safe from guns and violence. That is a nightmare, not a dream. Instead, let the dreams of our children be as big as the dreams of Dr. Martin Luther King. Let them dream of better homes, happy families and good jobs, and not dread a present in which children are killed and maimed by guns.

That is what the kids in Mequon and Milwaukee and Miami and Mission Viejo and in every community of every State deserve. And we should do as much as we can to make sure they get it.

Mr. President, I ask unanimous consent that the text of the bill and additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1087

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Youth Handgun Safety Act of 1993".

SEC. 2. PROHIBITION OF THE POSSESSION OF A HANDGUN OR AMMUNITION BY, OR THE PRIVATE TRANSFER OF, A HANDGUN OR AMMUNITION TO, A JUVENILE.

(a) DEFINITION.—Section 921(a) of title 18, United States Code, is amended by adding at the end the following new paragraph:

"(29) The term 'handgun' means—

"(A) a firearm that has a short stock and is designed to be held and fired by the use of a single hand; and

"(B) any combination of parts from which a firearm described in subparagraph (A) can be assembled."

(b) OFFENSE.—Section 922 of title 18, United States Code, is amended by adding at the end the following new subsection:

"(s)(1) It shall be unlawful for any person to sell, deliver, or transfer to a juvenile—

"(A) a handgun; or

"(B) ammunition that is suitable for use only in a handgun.

"(2) It shall be unlawful for any person who is a juvenile to possess—

"(A) a handgun; or

"(B) ammunition that is suitable for use only in a handgun.

"(3) This subsection does not apply to a temporary transfer to, or possession by—

"(A) a juvenile when the handgun is being used in target practice under the supervision of an adult who is not prohibited by Federal, State, or local law from possessing a firearm or in the course of instruction in the traditional and proper use of the handgun under the supervision of such an adult; or

"(B) a juvenile who is a member of the Armed Forces of the United States or the National Guard who possesses or is armed with a handgun in the line of duty.

"(4) For purposes of this subsection, the term 'juvenile' means a person who is less than 18 years of age."

(c) PENALTY.—Section 924(a) of title 18, United States Code, is amended—

(1) in paragraph (1) by striking "paragraph (2) or (3) of"; and

(2) by adding at the end the following new paragraph:

"(5) A person who knowingly violates section 922(s) shall be fined not more than \$1,000, imprisoned for not more than 1 year, or both."

I HAVE A DREAM

(By Bridget Wallace)

Hello my name is Bridget Wallace. I am in fourth grade. Some people may think that I am too young to care about the Earth, but I am not.

I have a dream that all blacks and whites would get along, everyone would be friends and everyone would respect each other for their differences and similarities!

I have a dream that there would be no more wars or guns, killing innocent people. I am only nine years old and I know there are young children my age being killed by guns. I want them off the streets. Please stop letting guns get out of hand.

I have a dream that there would be a clean and healthy environment and everyone would recycle material. I want to breath pol-

lution free air and drink clean water. Please help my dream come true.

My dreams are important to me and the future of our world. I hope my dreams come true, then the world would be great!

I HAVE A DREAM

(By Robbie Byrne)

I have a dream that there will be peace in the world, and there will be no more wars. I have a dream that there will be no more air pollution. If we pollute the air it will hurt the trees and it will be hard to breathe. Another thing is dumping chemicals into our sewers. I dream that we will all throw trash in its place so that the air and the land will be nice and clean.

I have a dream that we will not shoot other people with guns. I hope we don't put guns where little kids can handle them. I dream that the children of the future will live in a better world.

I HAVE A DREAM

(By Tina Tarantino)

That there will be no more pollution, no more drugs, and no more guns. Children are killing each other on the streets far too much! We need to get the guns off the street. Our Earth is far too dirty with pollution. We should clean up after ourselves! Lets pitch in.

Drugs are very important to get off streets. We do not want kids to take them or get addicted.

These are my dreams for the future.

I HAVE A DREAM

(By Dan Lueders)

I have a dream that people will stop taking drugs of all kinds. I have a dream that people will recycle so that our Earth will be clean for our children and their children. I have a wish that people will stop killing each other with guns. Instead we should take care of each other.

I HAVE A DREAM

(By Lisa Conover)

I have a dream of a world with no violence. Where guns and knives will be taken off the street, and in homes they will be locked up in a high place where children can not get to them. A world where all people will be treated equally and they would get along. I have a plan that schools, towns, and cities could have food drives and then all of the food would go to the homeless and people in Somalia. I have a career for young people of today. Get serious in Science and Math and maybe you could invent a cure for diseases like A.I.D.S., Cancer, and H.I.V. These are my dreams and my gift to the world is that these dreams come true in my lifetime.

I HAVE A DREAM

(By Parker)

I have dream that there is no more pollution. People will not cut down all the trees, and if they do cut down a tree, they will plant more trees. People should recycle. I think we should try to make solar powered cars, or people should walk or ride a bike. I hope you hear what I am saying.

I have dream that there is not more gun shootings. People get shot every day by a gun. We need stronger police forces! Kids should stay in school, not be in gangs. We should enforce stronger laws on guns. This is what I want no pollution and no more guns in the wrong hands.

I HAVE A DREAM

(By Andrea Nelson)

Hi my name is Andrea Nelson and I have a dream.

I have a dream that kids can walk outside without worrying about someone killing or kidnapping them. So I think guns should be out of America. Only police should have guns, because guns are responsible for many children's deaths.

I have a dream that we should protect the animals. People shouldn't kill animals for their skin, bones and other body parts. People should only kill an animal if it's for survival purposes. Poachers should be put in jail for shooting or killing animals. That is my dream for America and I hope yours too.

I HAVE A DREAM

(By Justin T. Myers)

I have a dream that the world will once and for all be in peace.

That our foes will all be our friends.

That people of the world will say "hey," stop this fighting, we can rebuild our community together.

A dream that during this year hunger and want will cease to exist in the world.

That the children of the planet can play without fear of being kidnapped, stabbed or shot. I watch the news and it is so depressing and sad. Nothing happy ever seems to be telecast.

The news is about war, crime, hunger and disease.

I have a dream that war, crime, hunger and disease will be wiped out in my lifetime. I just don't understand, why can't people get along.

I have a dream that doctors will find a cure for AIDS. That cures will also be found for cancer and heart disease and other fatal illnesses. That drugs such as cocaine and marijuana will not afflict our children and adults.

I have a dream that poverty will be eliminated. That all people will have nice homes and plenty of food. That racial and other prejudice will end and all mankind can get along in harmony.

Finally, I have a dream that man will learn to protect our environment and not continue to destroy it.

These are my dreams and I know they are good ones.

I HAVE A DREAM

(By Chris Kranz)

Hello, my name is Chris Kranz and I have a dream that we should protect and clean up our environment I am 9 years old and I have dreams for the future. I want to breath clean air, be able to fish in clean streams and clean soil to plant our plants in. We need to reduce our waste, so we will have a cleaner planet to live on. So help me make my dreams come true.

I HAVE A DREAM

(By Angela Berry)

I have a dream that one day people will stop polluting the air. We need to have better places for people than on the streets to live. My thoughts are that we need to help others more than we do. I have a dream that kids should care about their peers and family and that families should care about their kids. They should see that children are not getting guns as this is very frightening. I also have a dream that we give a lot of help to our environment. Our environment needs more recycling to cut down on waste. We

need to stop cutting so many trees down or we will not have oxygen to breathe. My last dream is that whites and blacks will be treated equally and there will no longer be prejudice. Help make my dream come true and our world will be a better place for you and me.

I HAVE A DREAM

(By Christin Mortenson)

My name is Christin Mortenson and I have a dream that some day more people would care about our earth. If more people recycle and pick up after themselves, the world would be a better and cleaner place. Thousands of trees would be saved if people would recycle newspaper and other kinds of paper.

I have a dream that people would notice how much pollution hurts the Earth. Only if people would have their cars checked to make sure exhaust is not coming out of the back of their cars. If people did that the ozone layer would not be all clogged up. So we could breathe better. If a fish's water gets dirty we can clean it. But if our air gets dirty you cannot just change the air. That would kind of be impossible to change the air. That is why we should keep the Earth's air clean.

I have a dream that one day the World will be a beautiful place to live in again, as I plan on being here for many more years.

I HAVE A DREAM

(By Nick Danz)

Hi, my name is Nick Danz and today I will share some of my dreams with you. I have a dream that poor people can someday live in a home like mine. I wish people would stop breaking the law. I hope in my life that people stop making war on each other. I have a dream that racism will end and people can live together. I have a dream that people all over the world will have enough food. I hope they will make cures for all diseases and people live in good health. I have a dream that I will always be happy and enjoy life.

I HAVE A DREAM

(By Jenny Smith)

Hello My name is Jenny Smith.

I have a dream, that one day the world would be calm and peaceful. No one will do bad things to the earth, the environment, animals, people or anything. Everyone will be happy and have a smile on their faces. People will look for the good things in situations, not the bad. People will be nice and take little things with a grain of salt. They will talk out their bad things instead of hurting someone or something. I dream we will take care of children and families with no food or shelter and make vacant or retired buildings into shelter for the needy. I also dream that adults will stop child abuse! People are hurting little kids for no reason at all. I think the solution is education. Better education will help people to take care of their children and take care of themselves. I also dream of a time when everyone who wants to work will be able to find a job. These are my dreams. We can all help them come true.

I HAVE A DREAM

(By Lauren Major)

Hi, I'm Lauren Major. I care very much about the Earth and what happens on it. These are some of my dreams. I have a dream that one day we will all have a cleaner and healthier neighborhood. There are too many poor families in our world. We need to

have better places than streets to live on. I hope our families get better educations than in the past. If we expect our children to get good jobs then they need good educations. We also need to stop child abuse in all families. We need to stop child abuse forever! We need to be peaceful parents, not violent ones. We should care about our families. We children are the future so please help us grow up healthy. I also think that our environment is a very important issue. We need to reuse, reduce, and recycle. We need to also plant trees, pick up litter, and buy recyclable items. If we take part on living on this Earth, why don't we take more care of it. On Arbor Day, plant a tree. On Earth Day and every day pick up litter on your way to school, to work or any other place you are. It doesn't matter if you are rich or poor, fat or thin, tall or short, or a kid or an adult. Make a difference in our world by protecting our environment. These are my dreams for the future. And I hope that other people dream my dreams, because they are important ones.

I HAVE A DREAM

(By Nick John Donnermeyer)

Hi my name is Nick Donnermeyer and I have a dream that someday doctors will come up with a formula that exterminates AIDS.

I have a dream that there will be a non-violent world so people can live a long life.

I have a dream that there will be peace on earth and the air wouldn't be polluted.

I have a dream that everyone would recycle.

I have a dream that America will save the trees.

I have a dream that everyone would have money, food and shelter.

These are my dreams for the future of our world.

I HAVE A DREAM

(By Elyssa Gutbrod)

I have a dream, that someday, everyone will have enough sense, not to take drugs. That no person—child or adult—would try to encourage someone to take a drug, unless, it is a prescribed medicine. Drugs can be very harmful and addictive. We need to have stronger laws on drug-dealers.

Alcohol is an especially addictive drug. Whether you are an unborn baby whose mother drinks, a child or an adult, alcohol will travel to the brain and make you drunk quite quickly. If my dream were to come true, alcohol would be banned from every state.

Another drug that can harm you, is tobacco. If you choose to smoke, it is your choice, and no one else's. But, the second hand smoke, can harm everyone else around you! I believe that our legislators need to pass a law. A law that will make it so you may not take drugs, unless it is a prescribed medicine, or a medicine that you need.

If you are pregnant, and on drugs, a kind of 'club' called Project Prevent is there to help you stop taking drugs, so you can have a healthy baby. Babies that are born to alcoholics, are usually smaller and not as healthy. Babies born to someone on crack or cocaine, may come out being addicted to that drug, sometimes called a drug dependent baby, all because of the fact the mother was addicted, or an alcoholic. If a baby is born to a drug dependent mother, costs for the special care that is required to keep the baby alive can cost approximately \$12,000 a day!

I have a dream. A dream that may change the world. I hope that someday my dream will come true, and that the world may become a safer place to live. I am only ten years old, but already I am aware of one thing. Drugs.

I HAVE A DREAM

(By Ted Ladky)

Hi, my name is Ted Ladky and I have a dream that someday everybody in our world would take care of our Earth. This is our only Earth so we can't go around throwing trash in ponds or yards. All these large factories with smokestacks are polluting our air. All of that is causing acid rain which is harming our animals and plant life. The smoke is also harming our ozone layer which is causing the global warming. If it warms up too much the north and south pole will flood and we might drown.

When you see trash on the ground you should pick it up. I have a dream that someday everyone will recycle. We need to make new products from recycled stuff.

I have a dream that someday in our world nobody would be dying from starvation and everybody would have a home and some kind of job. If people are homeless and hungry we should have as many food drives and restaurants should give them some food. If people don't have homes we should have many fundraising charities to help build apartments. I hope you like my ideas and help my dreams come true. Thank you very much.

I HAVE A DREAM

(By Jeremy Rosen)

Hi, I'm Jeremy Rosen and I have a dream that one day there will be world peace in this world. We must educate people both young and old. If we start in the home with the parents they will carry on family values to their children. I feel that with good family values the amount of gangs could decrease the amount of crime in our country. I also hope that one day our neighboring countries around the world will get along and live in peace.

In my dream I had a vision that everybody worldwide took part in cleaning up the environment. All homes and businesses will need to recycle paper, plastics, glass and aluminum. I dreamed that all materials used in our environment were recyclable. Pollution had been greatly reduced by the people.

With an environmental cleanup and education of our people this world would be a better place to live. Please help my dream come true.

I HAVE A DREAM SPEECH

(By Margaret Suttmeier)

I have a dream that someday there will be no world hunger. I see a time in our future when no child will go to bed hungry. I have a dream that someday the people in Somalia and other countries where starvation threatens will be able to grow and harvest all the food they need.

Growing up in a part of America where food is abundant makes me want to share what I have with others. I hope that in the future we will not have to send our marines with guns to deliver food. It will take many people in many countries to make this dream come true. But we must try and keep trying until it happens. Please help my dream come true.

I HAVE A DREAM

(By Michael Scarpace)

My name is Michael Scarpace. I have a dream that someday there will be clean

neighborhoods to walk through and poor people with houses and money to spend for clean clothes and food. I will get poor people jobs so they will have money to spend for shelter. I will try to make better places to live in.

I hope someday we won't have diseases like AIDS that kill people. Someday I hope we will find a cure for AIDS and cancer. If we find a cure then the people we love won't die of the disease. I hope we also find a cure for diseases that kill little babies so they will have a chance to live.

I will try to stop the people from killing people and make them friends instead. I want to stop black people from killing white people or white people from killing black people. I hope I can get people like white people with African-Americans. I want everybody to be friends.

I dream that someday there will be no drug dealers and no drugs either. I want our children to be able to walk the streets without people trying to give them drugs. I want people to realize that drugs aren't cool they just hurt you. I hope that one day we will have good solutions to all the problems we may have including the ones I just talked about. I hope we will all become better people and have a better idea of right or wrong.

I HAVE A DREAM (By Brian)

I have a dream that every nation will not have wars. I think if there has to be wars anyone that wants to be in the war they can. I know wars are hard to stop, but after a while maybe we can stop them.

I also have another dream. This is about rain forests and the environment. I saw this movie about people who were cutting down trees and by mistake the smoke from the truck they were using started on fire. The whole rain forest ended up on fire. What if that happened again. If there are no trees there will be no air. We will not survive.

Now about drugs. Wake up people. It seems that most people are on drugs. It seems that every 2 out of 3 teenagers are taking drugs. I think any drugs, I think any drug dealers should be put in jail, no matter what age. My gift for the world is love for the world and everyone in it. That is my dream, please help it come true.

I HAVE A DREAM (By Andrew Hoffman)

I have a dream that there will be no more pollution. I dream that we will have no wars, and no guns. I dream each child has a good education. I hope there is no fighting at all on the Earth, and good air to breathe outside. I hope there will be no more drugs on the Earth. I hope everything on Earth has a good life.

I HAVE A DREAM (by Tiffany Lyone Campbell)

I have a dream that there will be peace all over the world, that there will be no fights or wars. People will get along with each other.

I have a dream that people will stop and help clean up pollution. We will probably lose our world and that is why we should protect it!

I have a dream that we will love, honor, and cherish will all due respect.

I have a dream today! Please help it come true.

I HAVE A DREAM (By Jasmine Clark)

I dream that people can get along and play. I plan that we can have a clean world. I wish

that I can go and sit in the park and play in the park without anyone getting killed. I dream that all of the bad people will stop killing people. I plan that we can help change the world.

And my gift to the world will be that each and every one will have a home to live in and have food to eat, and clothes to wear. Also be loved and cared for. The noise will come to an end. I dream that all kids will have an educational life and a chance to get in college to make their lives better.

Mr. LAUTENBERG. Mr. President, I am pleased to join with Senator KOHL in introducing legislation to establish a national minimum handgun age. This bill generally would prohibit anyone under the age of 18 from possessing a handgun or ammunition. In addition, the bill would prohibit the private transfer of a handgun or ammunition to a minor.

Mr. President, there is ample evidence that increasing numbers of children are gaining access to guns, and then using those guns to kill and injure. Between 1980 and 1990, there was a 79-percent increase in the number of juveniles who committed murder using a firearm.

Juveniles are not just committing more firearm-related offenses, Mr. President, they also increasingly are being victimized by such crimes. Gun-shot wounds to children 16 and under have tripled in major urban areas since 1986.

Mr. President, the problem of juvenile gun violence is not limited to our inner cities. It pervades our Nation, in suburbs and small towns alike. In an exclusive neighborhood of Pasadena, CA, for example, two teenage boys reportedly shot three young women to death at close range. When asked why, they told police that they'd exchanged angry words with the victims, but they couldn't remember what the fight was about.

Mr. President, this kind of callous insensitivity to gun violence is becoming increasingly prevalent among our Nation's young people. Perhaps it's no accident that kids raised on Rambo are more willing to murder people over relatively minor disagreements. But whatever the cause, no American is entirely safe from these gun-toting youngsters.

Mr. President, as a Nation we have committed ourselves to keeping drugs and alcohol out of the hands of children. We've adopted strict laws to punish those who would involve children in drug-related crime. And we've passed laws to establish a 21-year-old drinking age.

Mr. President, a lethal weapon in the hands of an unsupervised child is much more dangerous than a can of beer. But you wouldn't know it by looking at the United States Code.

Current Federal law does prohibit sales to minors, but only if the seller is a licensed firearm dealer, importer, manufacturer, or collector. There are

no Federal limits on private transfers of firearms to children. In other words, a street criminal or drug dealer could transfer a handgun to even a very young child, without breaking the law in many States.

That doesn't make sense.

Mr. President, State laws in this area are inadequate. In more than half of all States, children are allowed to possess handguns, and to do so legally. Federal action is needed.

Mr. President, given the death and destruction associated with the possession of guns by young people, we should do everything we can to keep children gun free. It's time to establish a national minimum handgun age.

ADDITIONAL COSPONSORS

S. 30

At the request of Mr. MCCAIN, the name of the Senator from New York [Mr. D'AMATO] was added as a cosponsor of S. 30, a bill to amend title II of the Social Security Act to eliminate the earnings test for individuals who have attained retirement age.

S. 410

At the request of Mr. DASCHLE, the names of the Senator from North Dakota [Mr. CONRAD], and the Senator from Colorado [Mr. CAMPBELL] were added as cosponsors of S. 410, a bill to establish within the Bureau of Indian Affairs a program to improve the management of rangelands and farmlands and the production of agricultural resources on Indian lands, and for other purposes.

S. 469

At the request of Mr. WARNER, the names of the Senator from South Carolina [Mr. THURMOND], the Senator from Nebraska [Mr. EXON], the Senator from Oklahoma [Mr. BOREN], the Senator from Oklahoma [Mr. NICKLES], the Senator from Minnesota [Mr. WELLSTONE], the Senator from Massachusetts [Mr. KENNEDY], and the Senator from Arkansas [Mr. PRYOR] were added as cosponsors of S. 469, a bill to require the Secretary of the Treasury to mint coins in commemoration of the Vietnam Women's Memorial.

S. 540

At the request of Mr. HEFLIN, the name of the Senator from New Mexico [Mr. BINGAMAN] was added as a cosponsor of S. 540, a bill to improve the administration of the bankruptcy system, address certain commercial issues and consumer issues in bankruptcy, and establish a commission to study and make recommendations on problems with the bankruptcy system, and for other purposes.

S. 573

At the request of Mr. BREAU, the name of the Senator from Louisiana [Mr. JOHNSTON] was added as a cosponsor of S. 573, a bill to amend the Internal Revenue Code of 1986 to provide for

a credit for the portion of employer social security taxes paid with respect to employee cash tips.

S. 613

At the request of Mr. HARKIN, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 613, a bill to prohibit the importation of goods produced abroad with child labor, and for other purposes.

S. 639

At the request of Mr. DECONCINI, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 639, a bill to make unlawful the possession of certain assault weapons, to establish a Federal penalty for drive-by shootings, and for other purposes.

S. 648

At the request of Mr. GREGG, the names of the Senator from Alaska [Mr. STEVENS], the Senator from Iowa [Mr. GRASSLEY], and the Senator from Kansas [Mr. DOLE] were added as cosponsors of S. 648, a bill to provide Federal payments for Federal mandates imposed upon State and local governments.

S. 678

At the request of Mr. D'AMATO, the name of the Senator from Indiana [Mr. COATS] was added as a cosponsor of S. 678, a bill to amend the Internal Revenue Code of 1986 to make permanent the exclusion for amounts received under qualified group legal services plans.

S. 784

At the request of Mr. HATCH, the name of the Senator from New Hampshire [Mr. SMITH] was added as a cosponsor of S. 784, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish standards with respect to dietary supplements, and for other purposes.

S. 811

At the request of Mr. KERRY, the names of the Senator from Pennsylvania [Mr. WOFFORD] and the Senator from Connecticut [Mr. LIEBERMAN] were added as cosponsors of S. 811, a bill to incorporate environmental concerns into technology programs established in the National Institute of Standards and Technology, and for other purposes.

S. 1002

At the request of Mr. HATCH, the name of the Senator from Kentucky [Mr. McCONNELL] was added as a cosponsor of S. 1002, a bill to require each recipient of a grant or contract under section 1001 of the Public Health Service Act to provide information concerning breast and cervical cancer.

S. 1037

At the request of Mrs. MURRAY, the names of the Senator from Arizona [Mr. DECONCINI] and the Senator from Hawaii [Mr. INOUE] were added as cosponsors of S. 1037, a bill to amend the Civil Rights Act of 1991 with respect to the application of such Act.

SENATE JOINT RESOLUTION 52

At the request of Mr. PACKWOOD, the name of the Senator from Florida [Mr. GRAHAM] was added as a cosponsor of Senate Joint Resolution 52, a joint resolution to designate the month of November 1993 and 1994 as "National Hospice Month."

SENATE JOINT RESOLUTION 71

At the request of Mr. BROWN, the names of the Senator from North Carolina [Mr. FAIRCLOTH] and the Senator from Washington [Mr. GORTON] were added as cosponsors of Senate Joint Resolution 71, a joint resolution to designate June 5, 1993, as "National Trails Day."

SENATE JOINT RESOLUTION 77

At the request of Mr. HATCH, the name of the Senator from Hawaii [Mr. INOUE] was added as a cosponsor of Senate Joint Resolution 77, a joint resolution to designate the week of April 18, 1993, through April 24, 1993, as "International Student Awareness Week."

SENATE JOINT RESOLUTION 86

At the request of Mr. SIMON, the names of the Senator from Mississippi [Mr. COCHRAN], the Senator from Iowa [Mr. GRASSLEY], the Senator from Massachusetts [Mr. KERRY], and the Senator from Illinois [Ms. MOSELEY-BRAUN] were added as cosponsors of Senate Joint Resolution 86, a joint resolution commemorating the fiftieth anniversary of the founding of the Food and Agriculture Organization of the United Nations and reaffirming the United States commitment to end hunger and malnutrition.

SENATE JOINT RESOLUTION 89

At the request of Mr. SIMON, the name of the Senator from Rhode Island [Mr. CHAFEE] was added as a cosponsor of Senate Joint Resolution 89, a bill to designate October 1993, as "Polish-American Heritage Month."

SENATE JOINT RESOLUTION 99

At the request of Mr. DECONCINI, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of Senate Joint Resolution 99, a joint resolution designating September 9, 1993, and April 21, 1994, each as "National D.A.R.E. Day."

SENATE CONCURRENT RESOLUTION 29—RELATING TO THE ASIA PACIFIC ECONOMIC COOPERATION ORGANIZATION

Mr. MATHEWS (for himself, Mrs. MURRAY, Mr. ROCKEFELLER, Mr. DODD, Mr. BROWN, Mr. ROBB, Mr. BRADLEY, Mr. INOUE, Mr. PELL, Mr. JEFFORDS, Mr. AKAKA, Mr. SASSER, Mr. WOFFORD, Mr. KERRY, Mr. HATFIELD, Mr. GORTON, Mr. LUGAR, Mr. DURENBERGER, Mr. MURKOWSKI, Mr. HELMS, Mr. PRESSLER, and Mr. PACKWOOD) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 29

Whereas the Asia Pacific Economic Cooperation organization was formed in 1989 in order to strengthen regional ties among the economies of member countries of the organization by reducing barriers to trade and investment between such members;

Whereas the organization seeks to reduce such barriers through economic cooperation and the coordination of policy among such members;

Whereas the United States is a member of the organization;

Whereas trade between the United States and organization members Australia, Brunei Darussalam, Canada, the People's Republic of China, Hong Kong, Indonesia, Japan, the Republic of Korea, Malaysia, New Zealand, the Philippines, Singapore, Taiwan, and Thailand accounts for more than half of all United States two-way trade;

Whereas the United States exported \$218,000,000,000 of goods and services to members of the organization in 1992, an amount constituting 52 percent of the value of all United States exports in that year;

Whereas the volume of trade between the United States and the Asia Pacific region increased at an average annual rate of 9.1 percent between 1980 and the present;

Whereas that rate of increase exceeds the average annual rate of increase in trade during that period between the United States and any other region;

Whereas it is in the interest of the United States to expand trade between the United States and Asia Pacific countries in order to create more export-oriented jobs for Americans;

Whereas the United States, as an Asian power with significant economic and security interests in the East Asia and Pacific regions, should be engaged actively in shaping institutional arrangements that advance freer trade and strengthen the multilateral trade system;

Whereas the annual ministerial meeting of the organization will be held in Seattle, Washington, on November 17 through November 19, 1993, and will be chaired and hosted by the United States;

Whereas chairing and hosting the ministerial meeting presents the United States with the opportunity to initiate a proactive agenda in order to achieve progress among members of the organization relating to economic competition, civil aviation, energy cooperation, use and exchange of technological data and products, intellectual property rights, human resources development, and the environment;

Whereas a strong United States commitment to the organization can deter the formation of a trade bloc that might be counterproductive to United States trade policy in the Asia Pacific region, can promote liberalization of trade among organization members, and can advance interests common to such members in a region undergoing rapid economic and political transformation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. SENSE OF CONGRESS.

It is the sense of Congress—

(1) to encourage United States leadership in the Asia Pacific Economic Cooperation organization; and

(2) that the President, the Secretary of State, and other representatives of the United States Government should take the opportunity presented by the scheduled chairing and hosting by the United States of the ministerial meeting of the organization

in Seattle, Washington, on November 17 through November 19, 1993, to reaffirm the United States commitment to make Asia Pacific Economic Cooperation an effective regional economic organization that reduces formal and informal barriers to increased intra-regional trade through the harmonization of standards, trade, and investment policies.

SEC. 2. TRANSMITTAL OF RESOLUTION.

The Secretary of the Senate shall transmit a copy of this resolution to the President and the Secretary of State.

Mr. MATHEWS. Mr. President, I rise today to introduce a concurrent resolution that encourages U.S. leadership in the Asia Pacific Economic Cooperation Organization. The resolution also expresses the sense of Congress that the administration should make APEC an effective regional economic organization. I am pleased that 21 of my colleagues have joined as original cosponsors.

The United States is the 1993 chair of APEC and host of the November ministerial in Seattle, WA. We need to be aware that APEC's 15 member economies produce half the world's output and comprise a market of over 2 billion people.

There are three main reasons I am offering this resolution: First, we need to highlight the importance of our relations with the Asia Pacific economies; second, we need to emphasize the relevance of APEC to meet our broader economic goals; and third, to show our support for U.S. leadership in APEC, which should ensure a U.S. presence in an emerging institution that could lead the way to freer trade in the Asia Pacific region.

Let me take a moment to elaborate. This resolution underscores the link between our future prosperity and our relations with all the Asia Pacific economies. I believe we would all agree that our economic future is directly linked to improving our trade performance. Nowhere is this more important than in the Asia Pacific region.

Let's look at some facts. Our trade with the Asia Pacific region has: Exceeded our trade with Western Europe since 1980; expanded at an average of 9.1 percent annually since 1980; accounted for more than half of all U.S. two-way trade.

We are dealing with a region that has some of the fastest growing economies in the world. For example, in 1992, the United States had exports of \$218 billion to APEC members.

My own State of Tennessee certainly knows about APEC. According to the Tennessee Export Office, my State's exports to APEC members grew to almost \$3 billion in 1992. Now, I am new in Washington, and I realize billions get referred to almost casually, but in Tennessee nine zeros after a number gets our attention. And APEC has our attention.

To me, it makes good sense to focus on how to expand trade with the Asia

Pacific region. By doing so we will help create better paid jobs for Americans. Also, this resolution seeks to raise the visibility of APEC. Why? Because this organization can influence the future direction of regional trade and economic integration.

We urge the administration to be active and to foster communication that will remove trade barriers and search for new opportunities for cooperation. APEC started in 1989, when economic and foreign ministers from 12 Asia Pacific nations met in Australia. Their purpose was to establish a forum for regional consultation on ways to reduce trade barriers and sustain economic growth. The original participants of the APEC forum were the six countries of the Association of Southeast Asian Nations, the United States, Korea, Japan, Canada, Australia, and New Zealand. In 1991, they were joined by the People's Republic of China, Hong Kong, and Taiwan. Thus, APEC is the only official group with the three Chinases as full members.

In 1992, APEC was formalized as an institution with the creation of a small secretariat in Singapore. It is encouraged that the private sector and non-governmental groups have become more involved in APEC projects. This helps ensure that APEC officials stay in touch with the real world of the business environment.

In a few short years, APEC has moved from being a venue for dialogue to an important force that advances freer trade in a region undergoing rapid economic and political changes. And, work goes on throughout the year, not just at the annual meeting of ministers.

For example, there are high level working groups dealing with such subjects as: Trade promotion and investment; developing human and natural resources; technology and environmental issues; trade regulations and many others.

Already, APEC is looking at ways to standardize customs procedures and ways to make goods move faster throughout the Asia Pacific region. APEC builds consensus among its members to diffuse bilateral differences and complements and enhances the global trading system.

I am convinced these folks are ready to deal with real issues that can lead to something being done. Again, I am new, but I hear that actually getting something accomplished isn't the outcome of every governmental organization that's been formed.

Finally, and most importantly, the resolution supports and encourages U.S. leadership in APEC. As an Asian power, the United States must play an active role in this major economic region. This administration has the opportunity to initiate an agenda that will achieve real progress on trade and investment policies.

APEC offers the United States and its trading partners the best vehicle to reduce informal and formal barriers to trade and investment. As I mentioned, the United States is the 1993 chair and host of the annual APEC ministerial meeting in Seattle, WA.

We should not miss this opportunity. Mr. President, I urge my colleagues in the Senate to give this concurrent resolution the broadest possible support and quick consideration. By passing this legislation, Congress will express its support for U.S. leadership in APEC and contribute to the momentum that is building to make APEC an effective economic organization.

AMENDMENTS SUBMITTED

CONGRESSIONAL CAMPAIGN SPENDING LIMIT AND ELECTION REFORM ACT OF 1993

BENNETT AMENDMENT NOS. 398-399

Mr. BENNETT proposed two amendments to amendment No. 366 (in the nature of a substitute) to the bill (S. 3) entitled the "Congressional Spending Limit and Election Reform Act of 1993," as follows:

AMENDMENT NO. 398

On page 4, strike "and" at the end of line 19.

On page 4, strike the period at the end of line 21 and insert "; and".

On page 4, between lines 21 and 22, insert the following:

"(4) has not received benefits under this title for more than 2 previous general elections."

AMENDMENT NO. 399

On page 4, strike "and" at the end of line 19.

On page 4, strike the period at the end of line 21 and insert a semicolon.

On page 4, between lines 21 and 22, insert the following:

"(4) is a challenger to an incumbent Senator; and

"(5) has not received benefits under this title for more than 2 previous general elections."

MCCONNELL AMENDMENT NO. 400

Mr. MCCONNELL proposed an amendment to amendment No. 366 (in the nature of a substitute) to the bill, S. 3, supra, as follows:

On page 7, line 6, strike "(c), (d), and (e)" and insert "(c) and (d)".

On page 13, strike line 19 and all that follows through page 16, line 15.

On page 16, line 16, strike "(d)" and insert "(c)".

On page 16, line 20, strike "(e)" and insert "(d)".

On page 17 strike "(f)" and insert "(e)".

On page 50, line 11, strike "amounts—" and all that follows through "(B)" on line 14 and insert "amounts".

MCCAIN (AND OTHERS) AMENDMENT NO. 401

Mr. MCCAIN (for himself, Mr. DURENBERGER, and Mr. COHEN) proposed an

amendment to amendment No. 366 (in the nature of a substitute) to the bill, S. 3, supra, as follows:

On page 12, between lines 17 and 18, insert the following:

"(3) Loans made to the authorized committees of a candidate by sources described in paragraph (2) may be repaid to those sources in an aggregate amount that does not exceed the lower of—

"(A) 4 percent of the general election expenditure limit applicable to the candidate under subsection (b); or

"(B) \$200,000.

KEMPTHORNE AMENDMENT NO. 402

Mr. KEMPTHORNE proposed an amendment to amendment No. 366 (in the nature of a substitute) to the bill, S. 3, supra, as follows:

On page 25, strike lines 5 through 21 and insert the following:

"(a) EXAMINATION AND AUDITS.—(1) The Commission shall conduct an examination and audit of the campaign account of each eligible Senate candidate who accepted benefits under this title to determine, among other things, whether the candidate has complied with the expenditure limits and conditions of eligibility of this title, and other requirements of this Act.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON AFRICAN AFFAIRS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Subcommittee on African Affairs of the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Wednesday, June 9, 1993, at 2 p.m. to hold a hearing on United States policies toward Liberia, Togo, and Zaire.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON TERRORISM, NARCOTICS AND INTERNATIONAL OPERATIONS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Subcommittee on Terrorism, Narcotics and International Operations of the Committee on Foreign Relations, be authorized to meet during the session of the Senate on Wednesday, June 9, 1993, at 9:30 a.m. to continue hearings on the fiscal year 1994 Foreign Relations Authorization Act: U.N. Peacekeeping and Management.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, June 9, 1993, at 3 p.m. to hold ambassadorial nomination hearings on Jean Kennedy Smith to be Ambassador to Ireland and Peter Galbraith to be Ambassador to Croatia.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Commit-

tee on Energy and Natural Resources be authorized to meet during the session of the Senate, 9:30 a.m., June 9, 1993, to consider pending calendar business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate Wednesday, June 9, 1993, at 10 a.m. to mark up a committee print of the Banking Committee's portion of reconciliation legislation.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON SMALL BUSINESS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Small Business Committee be authorized to meet during the session of the Senate on Wednesday, June 9, 1993, at 10:30 a.m. The committee will hold a full committee hearing on investment in critical technologies through the Small Business Administration's existing financing programs.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be authorized to meet on Wednesday, June 9, at 10 a.m. for a markup on reconciliation, S. 597, the Mansfield Fellowship Act, and S. 134, a bill to reauthorize the National Historical Publications and Records Commission.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on Labor and Human Resources be authorized to meet for an executive session to consider the budget reconciliation recommendations, and the nominations of David A. Longanecker, to be Assistant Secretary for Postsecondary Education, and Marshall S. Smith, to be Under Secretary, at the Department of Education, during the session of the Senate on Wednesday, June 9, at 9 a.m. in SD-430.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on Wednesday, June 9, 1993 at 9:30 a.m. to hold a hearing on the nomination of Anne Bingaman to be an Assistant Attorney General.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON JUVENILE JUSTICE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Sub-

committee on Juvenile Justice of the Committee on the Judiciary, be authorized to meet during the session of the Senate on Wednesday, June 9, 1993 at 10 a.m., to hold a hearing on kids and guns.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON MILITARY READINESS AND DEFENSE INFRASTRUCTURE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Subcommittee on Military Readiness and Defense Infrastructure of the Committee on Armed Services be authorized to meet on Wednesday, June 9, 1993 at 2 p.m., in open session, to receive testimony on the environmental programs at the Department of Defense in review of the Defense authorization request for fiscal year 1994 and the future years defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NUCLEAR DETERRENCE, ARMS CONTROL AND DEFENSE INTELLIGENCE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Subcommittee on Nuclear Deterrence, Arms Control and Defense Intelligence of the Committee on Armed Services be authorized to meet at 2 p.m. on Wednesday, June 9, 1993, in open session, to receive testimony on the strategic defense initiative program in review of the Defense authorization request for fiscal year 1994 and the future years defense program.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN WATER, FISHERIES AND WILDLIFE

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Subcommittee on Clean Water, Fisheries and Wildlife, Committee on Environment and Public Works, be authorized to meet during the session of the Senate on Wednesday, June 9, beginning at 9:30 a.m., to conduct a hearing on S. 823, the National Wildlife Refuge System Management and Policy Act of 1993.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITIONAL STATEMENTS

NATIONAL SOCCER HALL OF FAME WEEK

• Mr. MOYNIHAN. Mr. President, I rise today to honor soccer, the most popular sport in the world. Millions of people of all ages, both in this country and abroad, play this marvelous sport, and it has become one of America's great traditions.

Today is the first day of National Soccer Hall of Fame Week. This week, from June 9 until June 14, America will honor the great sport of soccer by taking part in major soccer events, including the induction of the newest class of

hall of famers at the Soccer Hall of Fame in Oneonta, NY. This year the three inductees are Dennis Long, John Nanowski, and the legendary Pele.

The Soccer Hall of Fame was established in 1979. It is the only national museum of hall of fame dedicated to soccer in the world, and its aim is to honor and promote the sport of soccer and its history. Soccer goes back 120 years in this country, its longevity surpassed only by baseball, and the National Hall of Fame exists to remind us of this legacy.

Oneonta, better known as Soccer Town U.S.A., is certainly a fitting place to host National Soccer Hall of Fame Week. Oneonta State University and Hartwick College, both located in Oneonta, are division I powerhouses in the sport, and have produced three Hermann Trophy winners. This trophy, like football's Heisman, is given each year to the best college soccer player in the country. During last year's Hall of Fame Week, over 3,000 visitors and 350 soccer teams from around the world flocked to Oneonta to visit the Hall of Fame and participate in various soccer tournaments and competitions.

The first National Soccer Hall of Fame Week was held in 1981, and has since been recognized as a national soccer event, honoring both the sport itself and individuals for their dedication and contributions to American soccer. Other events included in the week this year are the United States Cup, in which the United States hosts Brazil, Germany, and England in a six-game competition held in five cities, and the Puma Cup, consisting of a tournament between the best high school senior soccer players in the country.

As we look ahead to 1994, the United States will host the world's largest sporting event, World Cup 1994, a 30-day soccer tournament consisting of the greatest players in the world today. Literally billions of soccer fans around the world will be witness to this event, either personally or via television. It is most fitting that we honor this great worldwide sport by observing National Soccer Hall of Fame Week.

I would like to cordially invite my colleagues and all soccer enthusiasts from across the country to visit Oneonta and the National Soccer Hall of Fame in the great State of New York during the coming week, to celebrate the sport of soccer and participate in National Soccer Hall of Fame Week.●

TRIBUTE TO TOYOTA MOTOR CORP.

● Mr. MCCONNELL. Mr. President, I rise today to pay tribute to the Toyota Manufacturing Corp. in Georgetown, KY. The Georgetown plant continues to set a standard of excellence which automobile manufacturers worldwide should strive to duplicate.

In a recent quality survey by J.D. Power & Associates, the Georgetown facility was named the best North American auto factory. The survey—which ranked the Scott County plant third last year—was based on questionnaires answered by more than 45,000 consumers after 90 days of vehicle ownership.

The survey also gave the plant another top honor: One of its products, the Toyota Camry sedan, tied for fourth in Power's initial quality survey. That honor placed the Camry above any other car built in North America.

Toyota Manufacturing in Georgetown employs more than 4,000 people, 96 percent of whom are from Kentucky. Last year, the plant produced 212,700 Camry sedans and 27,300 wagons. I have visited the Toyota plant and have gotten a firsthand look at the facility in production. There is no question that its success can be directly attributed to the hard work and dedication of its employees.

I congratulate the employees of Toyota Manufacturing in Georgetown for earning this recognition, and for turning out one of the best cars in America. All Kentuckians should take pride in this achievement.

Mr. President, please insert an article from the Lexington Herald-Leader into today's CONGRESSIONAL RECORD.

The article follows:

[From the Herald-Leader, May 28, 1993]

GEORGETOWN TOYOTA PLANT JUDGED BEST AUTO FACTORY IN NORTH AMERICA

(By Todd Pack)

The Toyota plant in Georgetown has taken the checkered flag in a widely watched automotive survey of new cars and trucks.

The plant was judged the best North American auto factory by the California marketing firm J.D. Power & Associates. Last year it was third.

A car made in Georgetown, the Camry sedan, tied for fourth in Power's Initial Quality Survey. That was better than any other car built in North America.

Toyota Motor Corp. dominated the awards, announced yesterday in the firm's newsletter, The Power Report. Toyota or Lexus, its luxury car nameplate, finished first in all but two categories, including one in which no vehicle exceeded the industry average.

And another of Toyota's facilities—in Cambridge, Ontario, where it makes Corollas—finished third among assembly plants, behind the General Motors Corp. pick-up plant in Fort Wayne, Ind.

According to the survey, the Georgetown plant registered 65 problems for every 100 cars.

The industry average is 107; 13 automakers exceeded that mark and 19 were below it.

Georgetown's success comes down to our people," plant manager Mike Daprile said.

"It was teamwork in every section, everyone working together to build the best car they can build.

The plant which employs 4,400 people, rolled out 212,700 Camry sedans and 27,300 wagons last year.

These people are over 96 percent Kentuckians, and they're turning out the best car in America, Daprile said.

Production lines were shut down about nine minutes on each shift to announce the award to employees.

"I personally thanked everybody for their effort and their dedication. They earned this honor," he said.

The findings are based on questionnaires answered by more than 45,000 consumers after 90 days of vehicle ownership and have become a benchmark for rating quality in the automotive industry.

Automakers who score well in the J.D. Power survey often use that to tout their vehicles in ad campaigns.●

VOTE ON MCCAIN AMENDMENT TO S. 3

● Mr. MACK. Mr. President, I voted against the McCain amendment yesterday because I plan to vote against S. 3, the inappropriately named campaign finance reform bill. S. 3 is a spending bill—plain and simple. We ought to be cutting spending and not increasing it. This bill does not do it.

S. 3 will increase Government spending and I am against that. I am against raising taxes and increasing the deficit so we can have public financing of campaigns. I am against it now. I am against it for 1994 and in 1996 and I will always be against it.

Eight days we have spent on this bill. Eight days we could have spent finding better ways to reduce the deficit. We ought to focus on cutting spending and not on raising taxpayers' burden to fund our campaigns for public office.●

THE CENTENNIAL OF THE JOHNS HOPKINS SCHOOL OF MEDICINE

● Ms. MIKULSKI. Mr. President, 100 years ago, in 1893, the Johns Hopkins School of Medicine was founded in the great State of Maryland, in its largest urban center, and my own hometown, the city of Baltimore. From that time to the present day, the Johns Hopkins School of Medicine has been a leader in the teaching of medicine and a pioneer in vastly improving the quality of medical care and the quality of life of all Americans—and of people throughout the world.

The Johns Hopkins School of Medicine created the first modern medical curriculum. It was the first to adopt strict and high standards for admission and graduation from medical school. It was the first medical school in the Nation to require for the M.D. degree the mastery of a large body of biomedical knowledge, experience in the laboratory, along with a substantial exposure to patients in clinical and surgical settings. The Hopkins standards and the Hopkins medical curriculum eventually were adopted by virtually every school of medicine in this country, and to this day continue to set the standard by which others are judged.

Today, the school of medicine once again is leading the way in revolutionizing medical education, with the in-

troduction of a new curriculum that provides students with early and ongoing exposure to clinical practice in community settings and to a new 4-year course, "The Physician in Society," that educates medical students to the physician's role and responsibilities in the society at large.

Additionally, faculty of the Johns Hopkins School of Medicine have played leading roles in many of the most important advances in medicine and health over the last century. Hopkins physicians played leading roles in the development of the modern era of heart surgery and genetic engineering, of CPR and the use of the laser to prevent blindness. Hopkins physicians and scientists also played key roles in our understanding of how brain cells talk to one another, information critical in the battle against substance abuse and mental illness. In the past year alone, they have brought us closer to early detection, treatment—and even prevention—of colon cancer, and to cures for sickle-cell disease, cystic fibrosis—and impotence. Eight school of medicine graduates have been awarded the Nobel Prize, and two of its current faculty hold that honor.

And perhaps most important, Johns Hopkins physicians have provided the highest quality medical care to generations of families in Baltimore and the rest of Maryland, and to thousands of people who have come and continue to come from all over the country and the world to be treated by Johns Hopkins physicians.

In this centennial year of the founding of the Johns Hopkins School of Medicine, I would like to express my pride in the great achievements of this extraordinary institution and to offer my congratulations and best wishes for the next century of Hopkins medicine.●

BLUE RIBBON SCHOOLS

● Mr. McCONNELL. Mr. President, Kentucky is committed to providing our children with access to high-quality, comprehensive educational opportunities. Based on the cooperative efforts of educators, parents, and students, several Kentucky school systems recently achieved national recognition for their innovative approaches to academic achievement through the Department of Education's Blue Ribbon Schools Program and the "We the People . . . the Citizen and the Constitution Competition."

The Blue Ribbon Schools Program seeks to promote school improvement nationwide through the collaborative self-evaluation of community schools. Recipient elementary and secondary schools are selected on the basis of their leadership, teaching environment, curriculum, community support and, instruction. In addition these serve as models for others seeking to provide high quality education for their students.

Mr. President, I am proud to present to my colleagues Kentucky's Blue Ribbon Schools Program recognition recipients: Marshall Elementary School; Robert D. Johnson Elementary School; Virginia Wheeler Elementary School; Assumption High School; Belfry High School; Elizabethtown High School; Fort Campbell High School; Saint Xavier High School; and Williamsburg High School.

"We the People . . . the Citizen and the Constitution Competition" is a national civics education program founded on the belief that a Democracy's strength is based on the knowledge and foresight of its citizens. The purpose of this program is to teach students the tenets of the Bill of Rights and our Constitution, through discussion and analysis of Democratic principles, community works, and current events. Administered by the Center for Civic Education, the program, now in its 60th year, has reached over 12 million students in over 21,000 elementary, middle, and high schools nationwide.

During the 1993 national competition, Kentucky was represented by a group of outstanding students from Caldwell County High School. Mr. President, it is with great admiration and pride that I present to my colleagues the participants from Caldwell County High School in the national competition: Morgan Baker; Mollie Bennet; Clayton Boaz; Jarrett Brown; Chris Cartwright; Amy Fralix; Jennifer Hankins; Gary Jackson; Anna Peters; Lisa Prowell; Darin Smith; Cliff Southard; Cheyenne Stevens; Stacy Wethington; Mr. Roy Rogers, instructor; Mr. Joe Gooch, congressional district coordinator; and, Ms. Tami Dowler, State coordinator.

I hope my colleagues will join me in extending congratulations to these Kentucky schools and students for their impressive achievements.●

MOUNTAIN HOME HOUSING CONFERENCE

● Mr. KEMPTHORNE. Mr. President, just outside Mountain Home, ID, sits Mountain Home Air Force Base with its innovative Composite Wing; the leading edge in modern defense technology and capabilities. Our military leaders have recognized Mountain Home Air Force Base as one of this country's premier military installations with assets and resources that rank it far above most bases.

However, there is one deficiency that has been identified in Mountain Home; a shortage of housing in the community for military personnel.

In the West, when we are faced with a challenge, our communities pull together to find solutions. That was the case on June 2, when business and community leaders responded to the need to address the shortage of housing in Mountain Home.

Builders and developers, lenders and investors gathered to find solutions,

and collectively, they triggered a community response to the problem. As is often the case, there are those in the community who assume leadership roles, and West One Bank emerged as one of those leaders.

Mr. President, I ask that a letter I received from Bob Lane, president and chief executive officer of West One Bank in Boise be inserted into the RECORD.

Mr. President, Bob Lane and West One Bank recognized a need in our community, and rather than look to the government to provide the solution, the private sector has once again demonstrated that it can and will rise to the occasion. I ask that my colleagues in the Senate join me in applauding those efforts.

The letter follows:

WEST ONE BANK,
Boise, ID, June 2, 1993.

Senator DIRK KEMPTHORNE,
Boise, ID.

DEAR DIRK: I would like to take the opportunity to congratulate you on the success of the Mountain Home Housing Conference. The exchange of information from both General John Michael Loh and other military officials representing Mountain Home Air Force Base and the public at large has helped open everyone's eyes to see the economic viability of the community of Mountain Home.

The need for housing seems to be extremely immediate, and the solutions discussed during the conference appeared to be more long term in nature. West One Bank feels that the community of Mountain Home and the Mountain Home Air Force Base are an integral part of the economic stability of this State, and would like to get the "housing ball" rolling. Therefore, West One will earmark \$2 million in multi-family rental financing to help meet the serious housing shortage. It is our hope that this commitment, along with our existing programs in single family home ownership, will create the impetus to encourage other lenders and investors to make a commitment to the community of Mountain Home.

Sincerely,

ROBERT J. LANE,
President and Chief Executive Officer.●

TRIBUTE TO ERIN MILLER

● Mr. McCONNELL. Mr. President, I rise today to congratulate an outstanding Kentucky student who was recently chosen to represent our State on National History Day here in Washington. Erin Miller, the daughter of Jim Ed and Sharron Miller of Williamsburg, won Kentucky's History Day competition for her essay, "Messages From Africa."

Erin, who will be a high school freshman this fall, is an active member of her community and is very involved with academic and extracurricular activities in the Williamsburg city school system. Her participation in the National History Day competition combined her love of writing and her keen interest in history. Erin is a member of the Junior Beta Club, drama club, Spanish club, academic team, Student

Council, and SEEK, a program for gifted and talented students. She is also a Cadet Girl Scout, and a member of the Young Pioneers and the Shiner Church of Christ. Erin also plays the oboe and clarinet.

While it is difficult to see how such an active teenager can find time to pursue even more honors, she certainly submitted an outstanding essay for the National History Day competition. "Messages From Africa," which I plan to insert in the CONGRESSIONAL RECORD following my comments, explores the historical significance of dance, music, and percussion instruments to the African people.

National History Day is the culmination of a series of activities that encourage young people to explore a historical subject related to an annual theme. The program is designed to help students learn more about history by incorporating social studies, language, literature, and the arts.

Erin will be visiting Washington this weekend for the National History Day competition. I look forward to meeting this talented young person, and am very proud of Kentucky's entry in the national contest.

Mr. President, please enter my comments as well as a copy of "Messages From Africa" in today's CONGRESSIONAL RECORD.

The material follows:

MESSAGES FROM AFRICA

(By Erin Miller)

Drumbeats sound throughout the night air with accompaniments of tambourines and human voices chanting praises to a god in unison. Tribal members perform ceremonies while dancing joyously around a blazing fire. This is how many African tribes practice their polytheistic religions, and use rhythm and music as sources of entertainment and communication.

"We find percussion everywhere on this planet, yet nowhere is it exactly the same. Each culture brought its own genius, its own materials, to the task of rhythm making. Traveling through time and across space, we can chart these transformations as the rhythm slowly came forth from the human body and took up residence in stone, metal, skin, wood, and bone."¹

The history of the African people is rich with its unique forms of dance, music, and the uses of percussion instruments. I have explored African communication through its music and researched the changes it underwent during the years that Africans were uprooted from their tribal communities and transplanted by slavery to America.

Historically, the tribes of Africa have been extremely resourceful in communications across long expanses of plains, through the dense vegetation of the jungles, and over valleys and mountains. Many groups used drum calls as a type of telegraph system, an intricate process of communication between hunters, warriors, and other tribe members. A master drummer controls the use of drums in the tribe and thumps out cadences which mimic conversation. The drum seems to "talk" as he beats it softly or taps the edge to create different meanings and voices.²

There were two drums primarily used in African communication systems. One, made of a hollow log, was known as the slit-gong. The other was the dun-dun, an hourglass-shaped drum which had two heads laced together with leather. Drums were ingeniously positioned to use the acoustical properties of natural landforms to relay their messages. For example, their call could be heard across a wide plain or valley if they were situated on high knolls or near rivers. Certain messages were standard for village members to learn, such as the daybreak signal, a work beat, a march beat, and the war beat.³ An experienced drummer could easily maintain a conversation with another person in a distant village.⁴

In addition to their use for calls and codes, drums filled an important role in African tribal culture in other ways. At rituals, ceremonies, and various gatherings, drums were the chief medium of expression. Rhythm was viewed as an art form, and its use was mandatory in most religious customs.⁵ "It is scarcely necessary to emphasize the importance of drums in African music. The drum is without question, the instrument that best expresses the inner feelings of black Africa."⁶ Drums were so revered in African lifestyles that they were even housed in a hut reserved especially for drums and other percussion instruments. This hut was built with a domed roof that served to set it apart from other buildings in the community. It was used to store materials for repair and as a maintenance building for drums and other instruments. Because the drum was considered sacred, it was carefully guarded and managed by the master drummer.⁷ Playing the drum or communicating with the drum by sending news or messages from one village to another required a high degree of skill as well as patient apprenticeship under the master drummer. The spiritual importance of the drum is reflected in the following quote, as a village chief offered a sacrifice to the drum. He believed that drums have spirits living in them, possibly ancestors who must be honored by offerings.

What we have offered to you, drum, now it's cooked

To all of you, gods, I offer you your chicken. The chicken I spoke of, there it is, cooked.

Grant us good fortune!

Grant us wealth!

Grant us children!

Grant us fortune!

The chicken we killed in your honor, there it is, cooked.

—Dan Village Chief, Ivory Coast (1965).⁸

Dance coupled with music was a primary source of communication in Africa's tribal culture. Dance and its rhythm were vital in numerous African activities, such as weddings, births, funerals, and political functions.⁹ Parents even used music as a way of teaching their children their ancestry, community's history, tribal legends, and the difference between right and wrong.¹⁰ Ethnomusicologist John Blacking believes that "... music is a mirror that reflects a culture's deepest social and biological rhythms..."¹¹ Music, integrated with uninhibited but meaningful dance was used in African entertainment and religion. The Yoruba tribesmen, who worship the god of thunder, sing and dance vigorously during the Shango Ritual. The Spirit enters their bodies as they dance to powerful, complex, rhythmic patterns.¹²

As the world expanded through exploration and colonization, people faced new challenges and problems. Africans had been used as slaves by Europeans for centuries, they

were not brought to the New World until the sixteenth century. In the year 1544, a Spanish priest, Bartolome de Las Casas served as a missionary in what is now Northern Mexico. Native American slaves were dying from European illnesses and from overwork. Father de Las Casas provided a solution. He proposed that Africans be brought to the New World to become its work force. He believed that these Negroes would be more immune to European diseases and could adapt to the hard work of colonizing and making these new frontiers inhabitable.¹³

When the British settled the eastern coastlines of North America, they had African slaves. Later, these black slaves were transported to the south to work on the growing number of plantations. With the Africans came their rich traditions of dance, music, and rhythm.¹⁴

Throughout their painful transition to America, and thus to slavery, the Africans held onto their culture. On less-crowded and less-restrictive voyages, the enslaved people overturned oil drums, buckets, and kegs, transforming them into percussion instruments. Their music communicated the people's confusion, grief, and fear as they journeyed to a new life in America.¹⁵

Not long after the slaves' arrival on the plantations of the South, drum communication among the Negroes was discouraged. Plantation owners and overseers considered the throbbing pulse and rhythm of their music an outlet for rebellious actions by the slaves. When this suppression of communication occurred, the Negroes turned to other creative forms of interchange and entertainment. They made use of methods like body rhythms and invented instruments. They developed field songs and spiritual music. Many of these adjustments took place to help unite the Negroes in resistance to slave ownership and its abuses.¹⁶

The African slaves soon adapted the drum communications by using their bodies to sound out polyrhythms. They clapped their hands, and slapped various body parts, like chests, thighs, and arms, to keep rhythm in religious music and dance.¹⁷ "Juba" and "Hambone" are examples of chants used with body rhythms. The African dance, "Juba", was changed radically after the slaves were brought to America by adding new movements. Among the black slaves of the South, "Juba" was a kind of dance step. There were two dancers in a circle of men, while the following lines were patted:

Juba circle, raise de latch.

Juba dance dat Long Dog Scratch,

Juba! Juba!

Both the words and steps were in call and response form, and the words must sound as rhythmic as a drum solo.¹⁸ "Juba" included the stamping of bare feet on hardened ground, and actions consisting of complicated movements that kept a steady beat. These chants were also channels through which slaves could voice complaints and send messages for any underground, or resistance movements.¹⁹

The slaves also created new instruments to replace the forbidden drums. They used spoons, broom handles, pots, and pans to keep a steady pace during work activities. To make a tambourine, the slaves saved bones from scrap meat. They filled cheese boxes stretched with cowhides with these bits of bones. They also constructed makeshift fiddles from scraps of wood and horsehair.²⁰

As a result of the conversion of some African slaves to Christianity, the converts were permitted to incorporate dance and music

¹Footnotes at end of article.

into religious services. There were, however, certain regulations. The new black Christians were only allowed to sing English hymns, but they integrated these songs with African melodies, or spirituals. The new product became known as a "gospel".²¹ The gospels expressed their inner feelings and allowed the African language and culture to survive bondage and oppression by using everyday occurrences to express complex emotions. Clarence Cameron White studied the background of the gospels, in particular "Nobody Knows the Trouble I've Seen". This song "sprang" from the heart of a slave whose trials were almost more than he could bear. After his wife and children had been sold away, he withdrew to his cabin and poured out his sorrow in this song:

Nobody knows the trouble I've seen,
Nobody knows my sorrow,
Nobody knows the trouble I've seen,
Glory Hallelujah.

Sometimes I'm up, sometimes I'm down,
Sometimes I'm almost to the ground,
Although you see going 'long so,
I've got my troubles here below,
Oh yes, Lord.²²

Religious dancing was also regulated. They were allowed to dance in a certain form which became known as a "ring shout". "Ring shout" was performed in a circle or in two parallel lines. The dancers moved counter-clockwise, shuffling their feet in rhythm. The plantation owners permitted the slaves to do this only if they kept one foot on the ground and did not let their legs cross. This was not considered dancing. "Ring shout", in which the slaves became filled with the "spirit", became a vital part of their religion. This dance is still used in some Pentecostal churches today.²³

Since the black slaves were strictly prohibited to sing, dance, or make music, they assembled in secret. These assemblies served as a way to unite the slaves in a resistance that gave them hope and helped them maintain their good spirits and individualism. They also used these meetings as a way to rebel against their masters peacefully.²⁴ Their songs took on the "aspect of an order, an invitation to action without the direct suggestion" such as, in the gospel, "Go Down Moses". "This song is a coin with two sides: the condemnation of the slaveholder and the insistence upon immediate action—freedom."²⁵ The song clearly projects the idea that slavery is wrong, telling the Bible story of Moses freeing the Hebrew slaves from the Egyptians. The slaves used these types of songs to try to fill every listener with a persuasive sympathy for their freedom.²⁶

While laboring in the fields, Negro slaves were strictly forbidden to converse with each other. Thus, they developed a coded message system resembling drum calls. Slaves sang short phrases of songs filled with coded messages. The majority of the field songs they used were transformed from gospels, so they were usually permitted to sing them. Slaves reworded the lyrics to form different meanings. Only fellow slaves could decode them. For example, if the word "Canaan" was sung, it meant a group of blacks were escaping to Canada the following night. The field songs were also used in warnings to others who were a distance away of an approaching overseer, to summon fellow slaves, to work, eat, or gather, and to break the monotonous silence. The Negro slaves' calls were known as "hollers" or "whoopin'".²⁷

An African slave folk tale tells of an instance when a slave informed others of a special drinking gourd they would need in order to escape to Canada. The recipients of the

message deciphered it from a field song and, then, located the drinking gourd that contained the information. A map of Canada was etched inside the gourd. The blacks were able to reach Canada safely without the plantation owner or overseer knowing about the activity.²⁸

In his book, *African Wisdom Teachings*, (1989), Yaya Diallo makes the following observation about field work:

"The productivity of the group depends on the musician who accompanies them. A salary increase cannot be as effective. Whipping would only provide revolt. A good musician behind the group, who follows the rhythm of each member, will help all to accelerate. His playing will make the work more enjoyable or at least less painful."²⁹

Slowly, the field songs transformed into work songs. Work songs helped keep the rhythm of axes chopping in unison, and the pounding of grain in a mortar consistent. The chains that bound their legs clanked the ground in a synchronized rhythm as they worked. The slaves began to work harder and became more productive when singing was allowed. As the popularity of work songs spread, overseers observed and approved of this new diligence and productivity. Each group of laborers was led by a singer, who possessed a strong voice. He set the pace for the song, and thus, the work pace. The theme of a work song varied with the type of labor task and mood. Work songs were another way to express their complaints and grief.³⁰

During the American Civil War, President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863, stating "... slaves within any state, or designated part of a State... then... in rebellion... shall be then, thenceforward and forever free."³¹ Shortly after, the Negro slaves were able to leave their owners and live as a free people. They had survived the abuse of slavery and had preserved their African traditions of dance, rhythm and music. "No matter how repressive the American environment was, the Negro never lost faith in or doubted his deeply endemic capacity to live."³²

The Negroes now had the right to express themselves freely. Because many of their customs are preserved only through oral tradition, there are very good motives for studying and recording the slaves patterns of communication. These include historical, aesthetic, and ethical reasons.

After researching this topic, it is obvious to me that African music, dance, and rhythm have had a great historical impact in the development of modern arts today. Blues and Jazz are offsprings of Negro music. Spirituals are still popularly sung in religious environments, and many of the dances we see performed today consist of movements taken from early African dance. This also points to the aesthetic importance. These expressions should be considered vital topics in teaching an appreciation for the African-American art.

Finally, I would like to address its ethical importance. There is no history that is insignificant. In studying African communication, we can appreciate the contribution it has made to our American history. During a period of America's beginnings when cruelty and suppression seemed to overrule the purpose of our nation's foundations in equality, a positive and creative effort was underway among the slaves. In their diligence to retain communication with each other, while estranged from their homeland, the Negro slaves provided us with a crucial part of our

nation's culture through music, dance, and rhythm.

ENDNOTES

¹ Mickey Hart and Fredric Lieberman, *Planet Drum* (San Francisco, CA: Harper Collins, 1991), 31.

² Ibid., 52.

³ Satis N. Coleman, *The Drum Book* (New York, NY: The John Day Company, 1931), 27, 28, 29.

⁴ Hart and Lieberman, *Planet Drum*, 53.

⁵ Gordon B. Peters, *The Drummer: Man* (Willmette, Illinois: Kemper-Peters Publication, 1975), 116.

⁶ Frances Bebey, *African Music* (Westport Conn.: Lawrence Hill and Company Publishers, 1975), 92.

⁷ Hart and Lieberman, *Planet Drum*, 53.

⁸ Ibid., 54.

⁹ Ashenafi Kebede, *Roots of Black Music* (Englewood, NJ: Prentice-Hall Inc., 1982), 102.

¹⁰ Betty Warner Dietz and Michael Babatunde Olatunji, *Musical Instruments of Africa* (New York, NY: The John Day Company, 1965), 1.

¹¹ Hart and Lieberman, *Planet Drum*, 30.

¹² Dietz and Olatunji, *Musical Instruments of Africa*, 2.

¹³ John E. Batchelor and James West Davidson, *A History of the Republic* (Englewood Cliffs, NJ: Prentice-Hall, 1988), 80.

¹⁴ Ibid., 80.

¹⁵ Lynne Fauley Emery, *Black Dance From 1619 to Today* (Princeton, NJ: Princeton Book Company, 1988), 80.

¹⁶ Robin Wilson, *Syncopated Inc.*, Lexington, KY, Interview by author, February 11, 1993, Lexington/Williamsburg, KY.

¹⁷ Emery, *Black Dance From 1619 to Today*, 96, 97, 98.

¹⁸ Alfred B. Pasteur and Ivory L. Toldson, *Roots of Soul* (Garden City, NY: Anchor Press/Doubleday, 1982), 247, 248.

¹⁹ Emery, *Black Dance From 1619 to Today*, 84.

²⁰ Ibid., 80.

²¹ Kebede, *Roots of Black Music*, 132, 133, 134.

²² Pasteur and Toldson, *Roots of Soul*, 220.

²³ Wilson, 1993.

²⁴ Kebede, *Roots of Black Music*, 130.

²⁵ Pasteur and Toldson, *Roots of Soul*, 223.

²⁶ Ibid., 223.

²⁷ Kebede, *Roots of Black Music*, 130, 131.

²⁸ Wilson, 1993.

²⁹ Yaya Diallo and Mitchell Hall, *The Healing Drum: African Wisdom Teachings* (Rochester, Vermont: Destiny Books, 1989), 106.

³⁰ Kebede, *Roots of Black Music*, 129.

³¹ Walter Dean Myers, *Now Is Your Time* (New York, NY: Harper Collins Publishers, 1991), 141, 142.

³² Douglas Henry Daniels, "The Significance of Blues for American History," *Journal of Negro History*, vol. 70 (Winter, Spring 1985): 16-23.

BIBLIOGRAPHY

Batchelor, John E., and James West Davidson, *A History of the Republic*. Englewood Cliffs, NJ: Prentice-Hall, 1986.

This book is an American history text book. It begins with the history of the Native American tribes and continues through the rebuilding process in the South after the Civil War. I used this book for information concerning the dates of the African slaves' transition to America.

Bebey, Francis, *African Music*. Westport, Conn.: Lawrence Hill and Company Publishers, 1975.

The book, *African Music*, helped me by providing explanations of the reasons for such commitment to music, rhythm, and dance in the African tribes.

Coleman, Satis N., *The Drum Book*. New York, NY: The John Day Company, 1931.

From this book, I learned many uses the drum served in an African tribe. It contained several pictures of drums, along with detailed captions.

Daniels, Douglas Henry. "The Significance of Blues for American History." *The Journal of Negro History* 70 (Winter, Spring 1985): 16-23.

This reference is a journal founded by Carter G. Wilson on January 1, 1916. It is a periodical that contains essays of scholars on Negro history. I used this reference to gain information about the impact that African music had on American history.

Diallo, Yaya, and Mitchell Hall, *The Healing Drum: African Wisdom Teachings*. Rochester, Vermont: Destiny Books, 1989.

This book was written by an African musician and a scholar on African music and rhythm. The book offered several photographs of various African drums and gave in depth information about their uses in relation to the African culture.

Dietz, Betty Warner, and Michael Babatunde Olatunji, *Musican Instruments of Africa*. New York, NY: The John Day Company, 1965.

In the book, *Musical Instruments of Africa*, specific practices in music, dance, and rhythm of African tribes are described. It gives several examples of polyrhythms and types of beats the Africans used.

Emery, Lynne Fauley, *Black Dance From 1619 to Today*. Princeton, NJ: Princeton Book Company, 1988.

This reference illustrates the meaning and artistry of African dance. The book gave me more insight into the importance of rhythm and dance to the African tribes and later to the Negro slaves.

Hart, Mickey, and Fredric Lieberman, *Planet Drum*. San Francisco, CA: Harper Collins, 1991.

Planet Drum contained detailed information about the drum call system. It also had vivid pictures which helped me gain a further understanding of the topic.

Kebede, Ashenafi, *Roots of Black Music*. Englewood, NJ: Prentice-Hall Inc., 1982.

This book explores the background of aspects in Negro music. I learned valuable information about field calls, gospels, and work songs for my paper.

Myers, Walter Dean, *Now Is Your Time*. New York, NY: Harper Collins Publishers, 1991.

After reading in this book, I gained more knowledge of the painful struggle for freedom the blacks endured. *Now Is Your Time* also gave me information about the Emancipation Proclamation.

Pasteur, Alfred B., and Ivory Toldson, *Roots of Soul*. Garden City, NY: Anchor Press/Doubleday, 1982.

This book was composed of information concerning the background of soul music. It used specific songs and examples to explain its theories.

Peters, Gordon B., *The Drummer: Man*. Wilmette, Illinois: Kemper-Peters Publication, 1975.

The Drummer: Man provided me with insight into the purpose of dance, rhythm, and music in the African culture.

Wilson, Robin, Artist/Dancer, Lexington, Ky. Interview by author, 11 February, 1993, Lexington/Williamsburg, Ky.

Ms. Wilson is currently an artist in residence for the Kentucky Council of the Arts in Jessamine County Public Schools. She is also a faculty member of three years with the Kentucky Council of the Arts' program, Syncopated Inc. Syncopated Inc. is a dance

program that demonstrates black dance and rhythms, and their use in the African and Negro slaves' culture. Ms. Wilson upholds the oral tradition of sharing and preserving African heritage.●

THE 38TH ANNUAL DETAILED FINANCIAL REPORT OF SENATOR PAUL SIMON

● Mr. SIMON. Mr. President, it has been my practice in each of the 38 years I have spent in public life to volunteer a detailed accounting of my finances.

I ask that my financial report for 1992 be printed in the RECORD.

The financial report and related announcement follows:

ANNOUNCEMENT

For the 38th consecutive year that he has held public office, U.S. Senator Paul Simon, D-Ill., has released a detailed description of his income, assets and liabilities.

Simon has been making the voluntary annual statements longer than any other national officeholder, according to his office. Simon set his policy when he left the newspaper publishing business he had established to enter public service as a state representative in 1955. He followed the practice during his eight years in the Illinois House of Representatives, six years in the Illinois Senate, four years as lieutenant governor, ten years in the U.S. House of Representatives, and now eight years in the U.S. Senate. The listing predates disclosure requirements of state and federal law and continues to exceed those requirements. Senate rules today require only the listing of income in broad brackets. Simon's practice also has set the standard for many officeholders in Illinois. Simon also continues to exceed Senate requirements by listing detailed income for his wife, Jeanne.

The Illinois senator lists 1992 income for himself and Jeanne Simon totaling \$189,669.99. The figure includes his Senate salary and reimbursements to Paul and Jeanne Simon for travel and other expenses.

The Simons had assets of \$458,770.06 and liabilities of \$155,791.64 for a net worth of \$302,978.42. Earlier disclosures have shown Simon to be one of the least wealthy members of the Senate.

Detailed 1992 income statement of Paul and Jeanne Simon

General income (Paul Simon):	
Salary, U.S. Senate	\$123,025.04
State of Illinois, General Assembly System	20,390.76
Book Royalties	8,000.00
U.S. Senate, Expense Reimbursement	20,206.47
Paul Simon Official Office Account, Expense Reimbursement	3.24
Paul Simon Official Office Account, Refund Deposit (\$1,900.00) and Interest (\$408.92)	2,308.92
Simon for Senate, Expense Reimbursement	497.99
Blue Cross/Blue Shield, Insurance Reimbursement	278.50
Barnes and Noble Bookstores, Inc., Refund	9.95
Dental Care Plus Management Corp., Insurance Reimbursement	45.00
Critics' Choice Video, Inc., Refund	19.95

Home Builders Institute, Travel Reimbursement	878.94
University of Colorado at Denver, Travel Reimbursement ..	599.05
National Press Books, Inc., Travel Reimbursement	564.01
American International Group, Inc., Travel Reimbursement ..	233.35
Captain Richard G. Kirkland, Travel Reimbursement	280.06
General income (Jeanne Simon):	
Potomac Investment Co.	3,000.00
Social Security, (Entirely donated to charitable causes)	5,508.60
DNC Services Corporation, Travel Reimbursement	420.79
Interest income:	
U.S. Senate Federal Credit Union	174.40
General American Life	258.51
Polish National Alliance of U.S.A.	36.63
South Shore Bank of Chicago ...	20.96
Dividends:	
Adams Express	367.74
Advest (Pepsi-Cola)	3.60
Quaker Oats	70.80
Scott Paper	6.40
Pax World Fund	143.86
Ralston Purina	37.71
Dreyfus Convertible Securities Fund	279.46
Dreyfus Municipal Bond Fund ..	1,389.55
Franklin Money Fund	517.00
Wal-Mart Stores	9.60
Pacific Gas & Electric	69.20
Texas Instruments	8.64
General Cinema	3.71
Fisher-Price	1.60

Total income

NOTE.—Sale of stock: Sold 10 shares of Chock Full O'Nuts for \$67.50 on 6/23/92. Paid \$102.28 for shares on January 6, 1992. Net loss, \$34.78.

Paul and Jeanne Simon net worth statement—Dec. 31, 1992

General assets:	
First Bank of Carbondale, Checking Account	\$110.93
Credit Union, Rantoul	13.18
U.S. Senate Federal Credit Union, Checking Account	663.67
U.S. Senate Federal Credit Union, Savings Account	144.73
South Shore Bank of Chicago, Savings Account	1,020.96
Loan, Senator Paul Simon Official Office Account	100.00
American Express, Dividend Fund	35.14
U.S. Savings Bonds	1,838.00
Deposit, Harbour Square Apartments	50.00
General American Life Insurance, Cash Value and Deposit ..	8,809.99
Polish National Alliance Insurance, Cash Value and Deposit ..	2,386.42
Congressional Retirement System, Cash Value	74,057.24
Thrift Savings Plan	15,248.82
11.8 Acres & Home, Makanda, IL. (Appraised in 1987)	204,000.00
Furniture and Presidential Autograph Collection	18,000.00
1991 Chevrolet	12,000.00
1983 Ford Mustang	1,000.00
Stock and bond holdings with number of shares:	
Adams Express, 241	4,820.00
Bethlehem Steel, 5	80.00
Dreyfus Municipal Bond Fund, 2,730	35,135.01
Dreyfus Convertible Securities Fund, 438	3,691.62

Franklin Fund	12,518.25
InterGroup, Inc. 25	212.50
Jet-Lite, 120 (Approximate)	300.00
Pax World Fund, 179	2,565.93
Quaker Oats, 44	2,860.00
Ralston Purina, 50.3	2,395.54
Rohr Industries, 6	72.75
Scott Paper, 8	286.00
United M & M, 8	3.25
Wal-Mart Stores, Inc., 48	3,072.00
Pacific Gas & Electric, 68	2,252.50
General Cinema Corp., 7	255.50
Texas Instruments, 12	559.50
Fisher-Price, 8	201.00
Land's end, 22	627.00
Liberte Investors, 100	56.40

IRA—Paul:

American Express Funds	570.38
Adams Express	9,400.00
Fisher-Price	1,407.00
Land's End	484.50
Pacific Enterprises	1,036.00
Pacific Gas & Electric	1,325.00
Pepsico	1,328.00
Price Co	870.00
Quaker Oats	9,230.00
Ralston Purina	952.20
Servicemaster	499.50
Southwest Water	1,354.50
Tootsie Roll Industries	1,705.00
Sara Lee Corp	600.00

Subtotal 30,762.08

IRA—Jeanne:

American Express Funds	270.15
Adams Express	10,340.00
Pacific Gas & Electric	1,325.00
Pepsico	1,743.00
Ralston Purina	2,286.00
Sara Lee Corp	600.00

Subtotal 16,564.15

Total assets 458,770.06

Liabilities:

Polish National Insurance, Loan	1,484.39
General American Insurance, Loan	3,021.15
Talman Home Mortgage Corp., Mortgage	151,286.10

Total liabilities 155,791.64

Total assets 458,770.06

Total liabilities 155,791.64

Net worth 302,978.42

GIFTS, received of more than \$25 value, outside immediate family¹

Two tickets to Chicago Symphony (\$49.50 each) from Illinois Bell	\$99
Grocery samples from Philip Morris/Kraft (value under)	250
Quilt from Concerned Women of Liberia (value under)	250
Dana College watch from Don & Joyce Jorgensen (value under)	250
Print of painting by Mitchell Tolle (value under)	250
Table cloth and small rug from Mr. & Mrs. Fau Sang Ko (value under)	250
Glass bowl from Phil & Gail Gilbert (value under)	250
Book, "The Treasury of Encyclopaedia Britannica" from Robert P. Gwinn (value under)	250
Subscription to "Jerusalem Report" from Robert Asher	60
Miscellaneous gifts representing countries visited during a trip abroad (value under)	250

Two bow ties from Ruth & Dan Edelman (value under) 250
¹The law requires disclosure only of gifts of \$250 and over. Paul Simon's statement includes all non-family gifts of more than \$25, whatever the source.*

MEASURE REFERRED TO COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS—S. 1036

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1036, relating to border facilities and the bill be referred to the Committee on Environment and Public Works.

The PRESIDING OFFICER. Without objection, it is so ordered.

AIR AND SPACE MUSEUM EXTENSION ACT

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 42, S. 535, related to planning and designing an extension to the National Air and Space Museum; that the bill be deemed read the third time, passed, and the motion to reconsider laid upon the table; that any statements relative to this bill appear in the RECORD at the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the bill (S. 535) was deemed read the third time, and passed, as follows:

S. 535

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Board of Regents of the Smithsonian Institution is authorized to plan and design an extension of the National Air and Space Museum at Washington Dulles International Airport.

SEC. 2. Effective October 1, 1993, there is authorized to be appropriated to the Board of Regents of the Smithsonian Institution \$8,000,000 to carry out the purposes of this Act.

Mr. WARNER. Mr. President, I rise today to applaud the passage of S. 535, a bill that was introduced on March 9, 1993, by myself, and Senators ROBB, SASSER, MOYNIHAN, and GLENN. This legislation authorizes the Board of Regents of the Smithsonian Institution, on which Senators SASSER, MOYNIHAN, and I serve, to plan and design an extension of the National Air and Space Museum at Washington Dulles International Airport.

I believe we are all aware that this marks the fifth time legislation to expand the National Air and Space Museum at Washington Dulles International Airport has been passed by the U.S. Senate. The Board of Regents of the Smithsonian has voted at least six times in favor of sighting the extension at Dulles.

This legislation is the result of many years of hard work by former Senator Jake Garn, who served on the Smithsonian Board of Regents, the Board of

Regents and its staff, and the Commonwealth of Virginia. The legislation represents an objective decision to do what is best for the future of the Smithsonian Institution and most importantly, the American public.

In September 1983, the Smithsonian Board of Regents first approved the National Air and Space Museum plan to expand at Washington Dulles International Airport. Since then, the board has expressed support for the extension at Dulles over and over again. Through four Governors—John Dalton, CHARLES ROBB, Gerald Baliles, and now Douglas Wilder—the Commonwealth has also continued to support the concept of the extension and its location in Virginia.

This legislation will further serve the objectives of the National Museum Amendments Act of 1965 which directs the National Air and Space Museum to "collect, preserve, and display aeronautical and space flight equipment of historical interest and significance."

I believe that it is accurate to state that the National Air and Space Museum now holds the most impressive and significant collection of spacecraft and aircraft in the world. However, due to the limited exhibition space in the Mall Building coupled with the size and weight of many of the artifacts, only 25 percent of the museum's collection is on display. Therefore, such significant air and spacecraft as the Boeing 367-80, the Saturn V launch vehicle, the Boeing Flying Fortress, the B-29 *Enola Gay*, and the space orbiter *Enterprise* cannot be displayed and enjoyed by the nearly 10 million visitors the museum receives each year. In addition, the museum's space limitations inhibit the interpretation of aerospace technology's significant contribution to all societies and the possibilities which it holds for the future.

The limited storage space and poor conditions at the Smithsonian Garber Facility in Suitland, MD, endangers artifacts currently in the Air and Space Museum collections and curtails its ability to accept other artifacts.

Irreplaceable aircraft—a priceless part of our national heritage—are deteriorating because Congress cannot make a decision on the sighting of this museum extension. This can no longer be tolerated.

The continued, strong support from the Board of Regents, the Commonwealth of Virginia and the Senate for this project is a testimony to the importance of the extension. I would like to reiterate that this support has been for the extension of the museum at Dulles. Therefore, I must mention the substantial financial commitment which the Commonwealth has made to this project.

Virginia's commitment includes: a \$3 million interest-free loan for planning and design work; State bonding authority to finance up to \$100 million in debt for the initial construction phase of

the extension; a commitment to provide the required site improvements at a total cost of \$26 million; \$6 million in direct funds toward the construction costs, and another \$6 million raised through private and local contributions; a pledge to work with local governments, the Washington Metropolitan Area Transit Authority and others to develop rail passenger service between the West Falls Church Metro Station and the museum site by the year 2000; a willingness to initiate "Metro-like" bus service between the extension and the Smithsonian's facilities on the Mall; and plans for the construction of the Barnsfield Road Interchange on Route 28 at an estimated cost of \$15 million.

The support for the museum's extension at Dulles is also largely due to the site's logistical and physical characteristics.

These characteristics include: Proximity to an active runway; flexibility in building configuration and space for future expansion; adequacy of existing and projected transportation networks for visitor access and artifact movement; compatibility with existing airport operations and absence of vibration, noise, and fumes; potential numbers of visitors; geological configuration and subsurface conditions; and the availability of utilities and vital support services.

It is important to be aware of the General Accounting Office's [GAO] involvement in the proposed extension. In February and March of 1991, the Smithsonian met with officials from GAO to resolve several concerns which GAO staff had expressed with the scope of the proposed extension and the Smithsonian's site selection process.

In addition to the site characteristics mentioned previously, the Smithsonian reemphasized the importance of locating the extension of the Washington-Metropolitan area rather than splitting the collection between the Mall location and a remote location. Such a split could not provide "a comprehensive and balanced view of the history, technology and social aspects of air and space flight." Smithsonian officials realized in the 1960's that an extension of the building in the Mall would be necessary and since that time the proposed expansion has always been viewed as an extension of the museum on the Mall, not as a separate museum.

The Smithsonian also verified the significant cost differential in con-

structing and operating an extension at Dulles versus a remote location.

After much discussion and study the GAO concluded in a March 20, 1991, letter to House Interior Appropriations Subcommittee Chairman YATES that "we now believe the choice of Dulles International Airport as the preferred site can be objectively defended by the Smithsonian."

In addition, in May of 1991, the Board of Regents concurred to the GAO's recommendation and agreed to reduce the scope of the extension limiting it to meeting the museum's most immediate needs to protect, preserve and restore the collection and provide public access to significant portions of the collection. This reduces the overall project cost to \$162,000,000—half the originally estimated cost.

Mr. President, it is my hope that the House of Representatives will now pass identical legislation, H.R. 847. Washington Dulles International Airport is the most practical, convenient and cost-effective location for the extension of the Air and Space Museum.

The creation of this extension will enable visitors from all over the world to experience first hand the magnitude and significance of man's technological achievements.

WELCOMING THE CONGRESS OF THE INTERALLIED CONFEDERATIONS OF RESERVE OFFICERS

Mr. FEINGOLD. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 66, Senate Concurrent Resolution 14, a concurrent resolution to welcome the 46th Congress of the Interallied Confederation of Reserve Officers; that the concurrent resolution be deemed agreed to, the preamble agreed to, and the motion to reconsider laid upon the table; that any statements relating to this concurrent resolution appear in the RECORD at the appropriate place.

The PRESIDING OFFICER. Without objection, it is so ordered.

So the concurrent resolution (S. Con. Res. 14) was deemed agreed to, as follows:

S. CON. RES. 14

Whereas the Interallied Confederation of Reserve Officers (CIOR), an association of reserve officers from thirteen of the nations comprising the North Atlantic Treaty Organization, will hold its XLVI Congress at

Washington, District of Columbia, during the period August 1 through 6, 1993; and

Whereas the United States, through the Department of Defense, will conduct military competitions in conjunction with and as a constituent part of the XLVI Congress of that organization: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress of the United States—

(1) extends to the Interallied Confederation of Reserve Officers (CIOR) a cordial welcome to the United States on the occasion of the XLVI Congress of that organization to be held in Washington, District of Columbia, during the period August 1 through 6, 1993;

(2) commends the joint effort of the Department of Defense and the Reserve Officers Association of the United States in hosting the XLVI Congress of the CIOR; and

(3) urges all departments and agencies of the Federal Government to cooperate with and assist the XLVI Congress of the CIOR in carrying out its activities and programs during that period.

ORDERS FOR TOMORROW

Mr. FEINGOLD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9 a.m., Thursday, June 10; and that, when the Senate reconvenes on Thursday, June 10, the Journal of proceedings be deemed to have been approved to date; the call of the calendar be waived, and no motions or resolutions come over under the rule; that the morning hour be deemed to have expired; and the time for the two leaders reserved for their use later in the day; that there then be a period of time for the transaction of morning business not to extend beyond 10:30 a.m., with Senators permitted to speak therein for not to exceed 5 minutes each; with the following Senators recognized for the time limits specified: Senators ROTH and BAUCUS for up to 10 minutes each; Senators COATS and HARKIN for up to 15 minutes each and Senator WALLOP for up to 45 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. FEINGOLD. Mr. President, if there is no further business to come before the Senate today, I now move that the Senate stand adjourned until 9 a.m., Thursday, June 10.

The motion was agreed to, and at 6:28 p.m., the Senate adjourned until Thursday, June 10, 1993, at 9 a.m.

HOUSE OF REPRESENTATIVES—Wednesday, June 9, 1993

The House met at 12 noon.

Reverend Tim Storey, Tim Storey Ministries, Whittier, CA, offered the following prayer:

Father, we thank You for the opportunity to serve You in this great country, for Your Word says trust in the Lord with all your heart and lean not on your own understanding, but in all your ways acknowledge Him and He shall direct your path.

Father, we believe that there is a difference between good ideas and God ideas. We pray that today You would give us wisdom to walk in Your God ideas, and not just our own good ideas.

Father, we thank You that You are an awesome God, One that is watching us, protecting us, guiding us, guarding us, and governing us.

Father, let us trust in You today with all our heart and lean not on our own understanding, but in all our ways acknowledging You, and You shall direct our path.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. HILLIARD. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. HILLIARD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 256, nays 144, not voting 33, as follows:

[Roll No. 201]

YEAS—256

Abercrombie	Barca	Bevill
Ackerman	Barcia	Bilbray
Andrews (ME)	Barlow	Blackwell
Andrews (NJ)	Barrett (WI)	Bonior
Andrews (TX)	Barton	Borski
Applegate	Bateman	Boucher
Archer	Becerra	Brewster
Bacchus (FL)	Bellenson	Brooks
Baesler	Berman	Browder

Brown (FL)	Holden	Parker	Bonilla	Hoke	Quillen
Brown (OH)	Houghton	Pastor	Bunning	Horn	Quinn
Bryant	Hoyer	Payne (VA)	Burton	Hutchinson	Ramstad
Byrne	Hughes	Pelosi	Buyer	Hyde	Ravenel
Cantwell	Hutto	Penny	Callahan	Inhofe	Regula
Cardin	Inglis	Peterson (FL)	Calvert	Istook	Ridge
Carr	Inslee	Peterson (MN)	Camp	Jacobs	Roberts
Chapman	Jefferson	Pickett	Canady	Johnson, Sam	Rogers
Clayton	Johnson (SD)	Pickle	Coble	Kim	Rohrabacher
Clement	Johnson, E. B.	Pombo	Cox	King	Ros-Lehtinen
Clinger	Johnston	Pomeroy	Crane	Klug	Roukema
Clyburn	Kanjorski	Poshard	Diaz-Balart	Knollenberg	Royce
Coleman	Kaptur	Price (NC)	Dickey	Kolbe	Saxton
Collins (IL)	Kasich	Reed	Doolittle	Kyl	Schaefer
Collins (MI)	Kennedy	Reynolds	Dornan	Lazio	Schiff
Combest	Kennelly	Richardson	Dreier	Leach	Schroeder
Condit	Kildee	Roemer	Duncan	Levy	Sensenbrenner
Conyers	Kingston	Rose	Dunn	Lewis (CA)	Shaw
Cooper	Kleczka	Rostenkowski	Emerson	Lewis (FL)	Shays
Coppersmith	Klein	Roth	Everett	Lightfoot	Shuster
Costello	Klink	Rothblat-Allard	Ewing	Linder	Skeen
Coyne	Kopetski	Rush	Fawell	Manzullo	Smith (MI)
Cramer	Kreidler	Sabo	Fields (TX)	McCandless	Smith (OR)
Crapo	LaFalce	Sanders	Fingerhut	McCollum	Smith (TX)
Danner	Lambert	Sangmeister	Fowler	McDade	Solomon
Darden	Lancaster	Santorum	Franks (CT)	McHugh	Stearns
De la Garza	Lantos	Sarpalius	Franks (NJ)	McKeon	Stump
Deal	LaRocco	Sawyer	Gallely	McMillan	Sundquist
DeLauro	Laughlin	Schenk	Gallo	Meyers	Talent
Dellums	Lehman	Schumer	Gekas	Mica	Taylor (MS)
Derrick	Levin	Scott	Gingrich	Michel	Taylor (NC)
Deutsch	Lewis (GA)	Serrano	Goodlatte	Molinar	Thomas (CA)
Dicks	Lipinski	Goss	Moorhead	Torkildsen	Upton
Dingell	Lloyd	Shepherd	Grams	Morella	Vucanovich
Dixon	Long	Sheep	Grandy	Murphy	Walker
Dooley	Lowey	Skaggs	Greenwood	Nussle	Walsh
Durbin	Maloney	Skeltion	Hancock	Oxley	Weldon
Edwards (CA)	Mann	Slattery	Hansen	Packard	Wolf
Engel	Manton	Slaughter	Hastert	Paxon	Young (AK)
English (AZ)	Margolies-	Smith (NJ)	Helley	Petri	Young (FL)
English (OK)	Mezvinsky	Snowe	Herger	Porter	Zeliff
Eshoo	Markey	Spratt	Hobson	Portman	Zimmer
Evans	Martinez	Stark	Hoekstra	Pryce (OH)	
Fazio	Matsui	Stenholm			
Fields (LA)	Mazzoli	Stokes			
Filner	McCloskey	Strickland	Bishop	Goodling	Rahall
Fish	McCrery	Studds	Brown (CA)	Henry	Rangel
Flake	McCurdy	Stupak	Castle	Huffington	Rowland
Foglietta	McHale	Swift	Clay	Hunter	Smith (IA)
Ford (TN)	McInnis	Synar	Collins (GA)	Johnson (CT)	Spence
Frank (MA)	McKinney	Tanner	Cunningham	Johnson (GA)	Swett
Frost	McNulty	Tauzin	DeFazio	Livingston	Thomas (WY)
Furse	Meehan	Tejeda	DeLay	Machtley	Thompson
Gejdenson	Meek	Thornton	Edwards (TX)	McDermott	Tucker
Gephardt	Menendez	Thurman	Ford (MI)	Minge	Washington
Geren	Mfume	Torres	Gilchrest	Payne (NJ)	Wyden
Gibbons	Miller (CA)	Torricelli			
Gillmor	Miller (FL)	Towns			
Gilman	Mineta	Traficant			
Glickman	Mink	Unsoeld			
Gonzalez	Moakley	Valentine			
Gordon	Mollohan	Velazquez			
Green	Montgomery	Vento			
Gunderson	Moran	Visclosky			
Gutierrez	Murtha	Volkmer			
Hall (OH)	Myers	Waters			
Hall (TX)	Nadler	Watt			
Hamburg	Natcher	Waxman			
Hamilton	Neal (MA)	Wheat			
Harman	Neal (NC)	Whitten			
Hastings	Oberstar	Williams			
Hayes	Obey	Wilson			
Hefner	Oliver	Wise			
Hilliard	Ortiz	Woolsey			
Hinchey	Orton	Wynn			
Hoagland	Owens	Yates			
Hochbrueckner	Pallone				

NAYS—144

Allard	Ballenger	Bilirakis
Armey	Barrett (NE)	Bliley
Bachus (AL)	Bartlett	Blute
Baker (CA)	Bentley	Boehlert
Baker (LA)	Bereuter	Boehner

NOT VOTING—33

Bishop	Goodling	Rahall
Brown (CA)	Henry	Rangel
Castle	Huffington	Rowland
Clay	Hunter	Smith (IA)
Collins (GA)	Johnson (CT)	Spence
Cunningham	Johnson (GA)	Swett
DeFazio	Livingston	Thomas (WY)
DeLay	Machtley	Thompson
Edwards (TX)	McDermott	Tucker
Ford (MI)	Minge	Washington
Gilchrest	Payne (NJ)	Wyden

□ 1227

Mr. ANDREWS of Maine changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mrs. JOHNSON of Connecticut. Mr. Speaker, during floor proceedings today, I was unavoidably detained at a meeting of the House Export Task Force featuring Ambassadors Mickey Kantor and Carla Hills and missed Roll Call Vote No. 201 on the Speaker's approval of the Journal. Had I been present I would have voted "nay."

Inasmuch as the discussion focused on the North American Free Trade Agreement and the Uruguay Round of the General Agreement on Tariffs and Trade [GATT], I believed it important to hear on behalf of my constituents

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

what the Ambassadors had to say about the importance of these trade agreements to economic growth in Connecticut, the United States, and throughout North America.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Georgia [Mr. LINDER] please come forward and lead the House in the Pledge of Allegiance.

Mr. LINDER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING THE REVEREND TIM STOREY

(Mr. HILLIARD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILLIARD. Mr. Speaker, we welcome and thank the Reverend Tim Storey of Whittier, CA. The work of Tim Storey Ministries and the Champions International is making a significant difference in the United States and, indeed, the world. Thank you, Reverend Storey, for offering the prayer of the day.

PARTY LOYALTY

(Mr. EVERETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EVERETT. Mr. Speaker, as the Democrats decide how to best punish those who voted against history's largest tax increase, Republicans have decided to support and encourage those who oppose tax-and-spend policies. This is just one more example of the clear difference between many Democrats in this House and Republicans. We believe that when party loyalty supersedes loyalty to the American people as a whole, then party loyalty must be abandoned. That was clearly the case for those who opposed President Clinton's tax plan last week.

Eleven Democratic subcommittee chairmen voted against the President's tax increase, and now some of the more diehard taxers in the Democrat caucus want to punish those chairmen for not exhibiting enough loyalty to the Democratic Party. I have questions for those tax raisers. What about loyalty to the American taxpayer? Do they not deserve some loyalty, too? Do they not already pay enough taxes to a government that knows only how to spend?

Mr. Speaker, if these chairmen and others in the Democratic Party feel too much heat from the tax raisers, they should come to the Republican Party. We never oppose those who place loyalty to the American people above their party.

□ 1230

DEMOCRATIC PARTY IN HOUSE OF REPRESENTATIVES IS FREEST PARTY IN COUNTRY

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Madam Speaker, I take the well because, unfortunately though understandably, the gentleman from Alabama who has just left it is remarkably uninformed about the Democratic caucus and its policies, as well as about its attitudes toward its members and its responsibility to the country.

We have just left a Democratic caucus in which the overwhelming decision was to take no action against any member of the caucus, subcommittee chairmen or other, for any vote that he or she casts on the floor of the House. This action is a clear reflection of its belief that Members of this House on the Democratic side particularly are the agents of their constituents, of the people who sent them here, of the people who entrust to them the great responsibility and honor of representing them in their districts and in the Halls of this Chamber.

Twenty years ago, I had the opportunity as a member of the caucus to be instrumental in the removal from the caucus rules of the Democratic Party rule R7 which presumed to say that by a two-thirds vote the Democratic caucus could direct the vote of Members on the floor. I take pride in the fact that that antique provision was removed by overwhelming majority 20 years ago. From that time to this day no Democrat has ever been asked to vote on any matter before this House under threat of retribution, retaliation, or punishment. It remains true, however, that in many State legislatures, there is a daily caucus to decide how members are to vote on the floor. Every member who has served in a Republican legislature knows that. It is also true of Democrats in State legislatures.

The Democratic Party in the House of Representatives, however, is the freest party in this country in terms of voting one's conscience and judgment on matters of public concern. So let us end this false suggestion that Democrats are being asked to vote under threat of penalty or anything but their judgment and conscience in the service of their constituents.

We get a majority the old-fashioned way. We prevail upon the conscience and judgment of Members to vote for the legislation, and we do not punish those who have other opinions.

REALITY OF DEMOCRATIC PARTY POLITICS

(Mr. GINGRICH asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. GINGRICH. Madam Speaker, I want to thank the distinguished Speaker for a cheerful and wonderful version of reality which has little resemblance to the truth as we know it here on the floor.

I would suggest to him that if we would bring back our good friend, Senator PHIL GRAMM, a former colleague, and have him come and visit and explain to us what it was like to have his committee position stripped from him, that he would be glad to talk. I would suggest to him that there are other former Democrats that we could bring in that would be glad to talk. But, of course, it is in the spirit of comity and last night's picnic to enjoy life, to say things in broad and baroque fashion.

For anyone who believes that no arms were twisted, no threats were made, it is an interesting fantasy, but one I fear does not resemble the brute reality of the House or the legislative process here. I would suggest that any Member or citizen who doubts me to call Senator PHIL GRAMM and ask him what it was like.

TIME FOR A REALITY CHECK

(Mr. FROST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FROST. Madam Speaker, it is time for a reality check.

Critics on the other side of the aisle say they want something done about the deficit and yet every time the Clinton administration comes up with a new approach, they unite in blind, lockstep opposition.

The reality is that we have a new President who is trying very hard to come to grips with an enormous deficit he inherited from his predecessors.

He has offered a variety of approaches and has shown flexibility in meeting objections raised by members of his own party and by the opposition party. He has established a clear set of principles—we must reduce the deficit by \$500 billion over the next 5 years and we must do it in a way that does not harm the poor and that encourages investment in our future.

President Clinton has called for a mix of spending cuts and tax increases that achieve this goal. He has demonstrated that he is willing to listen to the critics of his specific approaches and to make accommodations that will increase the amount of spending cuts and make his program fairer to farmers and the middle class. All we hear from the other side of the aisle is blind, mindless opposition.

Madam Speaker, I am proud that we have a President who is working hard to devise a package of read deficit reduction. Let us all keep working with him. The country needs our help.

FREE THE BONIOR FOUR

(Mr. PAXON asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. PAXON. Madam Speaker, this is in response and discussion of the Speaker's comments.

On May 30, just after the House vote on the Clinton tax bill, the Associated Press carried this story:

By the time the vote was over, Bonior said there were four other unidentified lawmakers prepared to vote "yes" who were freed to vote "no" because they were not needed.

"Four in the hole, as we say," Bonior said.

My colleagues, American taxpayers deserve to know the truth about the majority whip's comments.

Which of the 38 Democrats who voted "no" were "in the hole", in the pocket of Mr. BONIOR, Majority Leader GEPHARDT, and Speaker FOLEY?

Which of the Democrats, who voted "no", were committed in secret to vote "yes"?

And, on the most important taxation vote ever, did those Democrats who committed in secret to vote "yes" then issue press releases extolling their independence and courage in opposing the very Clinton taxes they were pledged to support?

Until we know the names of the Bonior four, constituents of all 38 Democrats who voted "no" will wonder.

So, Republicans will keep pressing. Free the Bonior four.

RECONCILIATION

(Mr. GENE GREEN of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Madam Speaker, let us make it plain what happened 10 days ago. The Democrats had 38 Members who were willing to vote their districts whereas on the Republican side of the aisle they obviously did not have the freedom to vote their districts because they voted lockstep for continued gridlock.

Over the past couple of weeks, we have been working on the most important bill to come before this Congress this year. That bill is the Reconciliation Act of 1993. As a freshman and as a Representative of an energy State such as Texas the issue of the Btu tax has caused this to be one of the most difficult decisions I have made during my short time in Washington.

However, during these past few weeks, the President has made a great effort to answer some of my concerns with this bill. I am confident that my concerns have been heard by President Clinton and will be addressed during Senate deliberations. The administration has made a good faith effort to eliminate some of the effects of the

Btu tax and maybe the tax itself. With these changes in plan I will continue to support the President in his efforts to reduce the deficit and create a more equitable tax structure.

Let me mention some favorable items in the bill.

It reduces the deficit by \$500 billion over 5 years.

It contains 200 specific cuts that result in \$189 billion in savings.

Seventy-five percent of all new taxes are paid by the wealthy.

People whose incomes are over \$100,000.

It helps small business by allowing a \$25,000 deduction for the purchase of new equipment.

It increases the earned income tax credit so a person who works 40 hours a week and has a child will not live in poverty.

It reinstates the targeted jobs tax credit which helps hard-to-employ persons get jobs.

It eliminates tax deductions for lobbyists.

The real estate market in Texas has continued to remain in a slump since the mid-1980's. The economic plan contains passive loss real estate provisions that will help our sagging real estate markets.

It increases funding for childhood immunization by \$2.1 billion.

It caps deductibility on executive compensation at \$1 million.

JOB CREATION AND BILL CLINTON

(Mr. THOMAS of Wyoming asked and was given permission to address the House for 1 minute.)

Mr. THOMAS of Wyoming. Madam Speaker, according to the latest Department of Labor statistics, the unemployment rate dropped to 6.9 percent last month. That is not great, but it is an improvement.

I urge President Bill Clinton and the Democratic majority to take steps to ensure that this recovery continues.

Don't do anything that will hurt this recovery. Let the private sector work for all Americans.

Don't levy the largest tax increase in history, and stifle future economic growth.

Don't pass more Government regulations and unfunded mandates which will slowly but surely strangle private enterprise and small business. Don't pass striker replacement legislation, which will replace job creation with strikes, and hurt our competitiveness.

Don't spend more money, which will only increase our national debt and spur inflation.

In other words, don't act on your Big Government agenda, which will stall our recovery and kill jobs. Don't kill our economic recovery.

□ 1240

CLOSE DOWN THE HIV PRISON CAMP

(Mrs. MEEK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MEEK. Madam Speaker, I applaud the decision of U.S. District Court Judge Sterling Johnson to order the release of more than 150 Haitians who are imprisoned at Guantanamo Bay. Their only crime is to be infected with AIDS. They deserve our compassion, but their reception was cold and callous. They sought freedom from persecution, but only found a prison.

Even a former commander of the camp expressed the view that these people, who include pregnant women and children, should be allowed to come to the United States. It is an absurd policy that forces us to expend considerable resources in keeping these people at Guantanamo.

I have written to President Clinton and to Attorney General Reno urging them not to appeal Judge Johnson's ruling. Many of these Haitians have relatives in the United States and they should be allowed to join their families.

Let us close down what Judge Johnson called the "HIV prison camp." It is a disgrace that we who pride ourselves on justice, compassion, and freedom should turn away persons who have demonstrated a credible fear of persecution merely because they are ill.

Madam Speaker. I appeal to the President and the Attorney General. We all are God's children.

AN INVITATION TO THE DEMOCRATS

(Ms. PRYCE of Ohio asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PRYCE of Ohio. Mr. Speaker, it appears that Democrats in the House have adopted a new motto for their party, "Don't get mad, get even."

At least that is the impression I get from reports that House Democrats were seeking ways to punish those members who had the courage to buck their party leadership and vote for their districts and against the largest tax increase in history.

It is outrageous that the party founded by Thomas Jefferson would stoop to strong-arm tactics that are more properly identified with the old Soviet Union, where party leaders really knew how to deal with uncooperative members.

For my part, I have never been prouder to be a Republican, a party in which members can vote their conscience without fear of blacklisting reprisals.

It must be hard to be a Democrat these days. So let me extend an invitation to all my colleagues on the other

side who cast a vote for fiscal sanity and are now unwelcome as leaders in their own party: to leave the Democrat's pup tent and come join us Republicans in our big tent. Everyone is welcome to represent the true interest of their constituents.

IMMIGRATION COMMISSIONER NEEDED

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Madam Speaker, the Nation is facing many aggravating and painful problems concerning immigration and asylum. There is massive illegal entry into the Nation across the southern border. There is massive effort to smuggle people into the country, and most recently we have seen it in the form of the Chinese nationals who came in by ship into New York Harbor and San Francisco Bay.

There are hundreds of thousands of pending cases seeking asylum, some of which, many of which, are unfounded and invalid, and yet they clog up the court system and the administrative process denying court time and administrative time to people with valid claims of asylum.

Despite the fact that we are 5 months into the administration and despite the aggravating and persistent problems we have, we still do not have a Commissioner for the Immigration and Naturalization Service. I have communicated with the Attorney General urging her to quickly assign someone that very difficult job.

I would hope that that Commissioner could be nominated and confirmed soon by the Senate. It is important to set good national policy in the immigration field, and for that we need an Immigration Commissioner.

THANKS BUT NO THANKS

(Mr. LINDER asked and was given permission to address the House 1 minute and to revise and extend his remarks.)

Mr. LINDER. Mr. Speaker, well, after asking, begging, cajoling, and threatening his way to House passage of the largest tax increase in history, President Bill Clinton has backed away from his Btu tax.

Basically, he is saying to his House allies: "Thanks, but no thanks."

You have to wonder if this President ever means what he says.

I can only say to those who voted against history's largest tax increase: Do not worry. Be happy.

Do not worry, because your vote against the President may turn out to be a vote for the President once he finishes shifting his position.

Be happy, because voting against the largest tax increase in history is the right thing to do.

And if you are having difficulty with your own caucus because of your vote, let me say this: The Republican Party does not punish those who oppose tax increases. And we accept all who are unhappy with Bill Clinton's tax and spend economic program.

SUPPORT THE 1994 BUDGET RESOLUTION

(Mr. CLYBURN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLYBURN. Mr. Speaker, as the 1994 budget resolution awaits passage in the Senate, I urge my colleagues and their constituents to be mindful of its benefits and not the rhetoric of its detractors.

I stand before you today seeking maximum support and consideration of those who stand to gain the most by the passage of the President's economic proposal and not those who gain headlines by opposing it.

We must remember the millions of children who go hungry each day and whose health is at risk due to lack of proper immunization.

We must remember those who want to work but lack the opportunity and training to do so.

We must remember that a fair tax system is one which works for all and not just for a chosen few.

Mr. Speaker, we must never forget that if we are to see long-term economic growth we must be willing to accept the short-term consequences of redirecting our spending priorities.

CUT SPENDING FIRST

(Mr. KNOLLENBERG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KNOLLENBERG. Mr. Speaker, I was extremely pleased to hear this morning that President Clinton has abandoned the Btu tax. This hidden tax on energy would have hit my constituents in Michigan particularly hard. Estimates of its annual cost to Michigan families ranged from \$219 to over \$400.

The President should now take the next step and make clear that the tax is replaced with spending cuts, not a new tax. This can and should be done. This is what the American people want.

The Btu tax was slated to raise just over \$70 billion in revenues over 5 years. If the earned income tax credit increase—which was designed to offset the impact of the Btu on the poor—is removed from the plan, only \$40 billion in spending cuts is needed. This is approximately \$8 billion more in cuts in each of the next 5 years, considerably less than 1 percent of the spending that is scheduled to occur in the current budget plan.

This is an excellent opportunity for the president to show he is truly moving back to the political center. As my constituents put it "cut spending first."

OUR HISTORIC BUDGET PACKAGE

(Ms. DELAURO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DELAURO. Mr. Speaker, the House of Representatives recently passed a historic budget package that will cut the national debt by half a trillion dollars in the next 5 years. This package represents a bold restructuring of our economy to make economic growth possible after 12 years of policies that sapped our economic strength.

Few people now remember that in 1981, former President Ronald Reagan promised to eliminate the country's annual budget deficit by 1984.

But instead, during 12 years of Reagan-Bush policies, the national debt climbed from \$1.1 trillion to \$4 trillion. Interest payments on this debt alone cost the Nation nearly \$300 billion a year—about 13 percent of total yearly Federal spending.

When this House passed a budget package, we voted to take \$250 billion in Federal spending cuts and \$250 billion in new revenues and apply them toward the deficit over the next 5 years—reducing it by \$500 billion. We have started on the road to fiscal responsibility.

The Clinton economic package is a tough-minded approach to the economy and cutting the deficit. The result will be a stronger economy, more opportunity for job creation and investment, and a far brighter future for our children.

LIMIT JUDICIAL INTERFERENCE IN PRISONS

(Mr. CANADY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CANADY. Mr. Speaker, today I am introducing the Prison Litigation Relief Act of 1993.

This legislation is designed to diminish the role of the Federal courts in prisons and jails.

In the name of inmate rights—the courts have imposed burdensome requirements on prisons in 40 States, the District of Columbia, and two territories.

They have mandated population caps on facilities, forcing the early release of dangerous criminals.

Such releases are contrary to both justice and deterrence.

Law-abiding citizens have the right to have criminals serve the full prison terms to which they have been sentenced.

Courts should not shorten those sentences by capping prison populations.

And, courts should not prohibit prisons from using reasonable housing alternatives such as tents and prefabricated structures for housing inmates.

If such accommodations are good enough for our soldiers, then they are certainly good enough for convicted criminals.

Mr. Speaker, I urge all my colleagues to support the Prison Litigation Relief Act of 1993.

OUR CONSTITUENTS AND OUR COUNTRY MUST COME FIRST

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, when a Member of Congress would have to look over their shoulder when they cast a vote, our great democracy will certainly be in danger. In fact, when any American walks into a jury room or a ballot box, no one shall either try to influence, intimidate, or coerce that vote.

Mr. Speaker, I happen to be a subcommittee chairman who voted "no" on that tax bill, because I believed it was bad for the country. Our first loyalty in Congress should be to our country, and in my opinion, if the bill was bad for America, none of us would help our young President by casting a vote for it.

Let me remind the Members of Congress: If you do not have the guts and courage to vote "no" when it is necessary, your "yes" vote means nothing, and that is what is wrong with our country.

I support the President, but I did not support that bill, and I am not going to vote on any bill that I believe is bad for the country.

When it is a choice between the Democrat Party and what is good for my constituents and the country, the party is going to lose every damn time.

□ 1250

PRESIDENT CLINTON WOULD TAX MORE OF THE SOCIAL SECURITY BENEFITS

(Mr. ROTH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROTH. Mr. Speaker, America's senior citizens will soon realize that President Clinton's tax package has a \$29 billion tax increase on Social Security.

That is right, \$29 billion which our senior citizens will have to pay. But get this: This huge tax increase is not called a tax increase, President Clinton is calling it a spending cut.

President Clinton said that senior citizens' Social Security will have to

be taxed to as much as 85 percent of their benefits.

The President says, "Where else can we cut?" Yesterday in our Committee on Foreign Affairs we looked at the State Department. The State Department is bloated, bloated, bloated. They have as many as 100 senior people with no duties, only huge salaries.

Yesterday I had an amendment to cut funding on the State Department by 10 percent. But the Democrats said "No." Why? Because the Democrats will tax Social Security but they will not cut the bureaucracy.

Mr. Speaker, the American people's message to Congress must continue to be, "Cut spending first."

SUNS WAGER TO THE CHICAGO DELEGATION

(Mr. PASTOR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PASTOR. Mr. Speaker, I wish to bring to your attention a very important event beginning this evening. The Phoenix Suns, in their first NBA finals appearance since 1976, face off at home tonight against the Chicago Bulls. On the eve of Phoenix's first-ever NBA championship, I challenge my good friends from the Cook County delegation to a wager. If the Bulls win, the Arizona members of Congress will treat the Chicago delegation to an authentic, delicious dinner from Arizona's Mexican restaurant, Oaxaca. When, as expected, Phoenix Suns and Charles Barkley scorch the Bulls, my good friends from the State of Illinois can treat the Arizona delegation to a juicy steak dinner from Morton's Steakhouse of Chicago.

It is only fair to warn you, before you take up my offer, that the Suns boast a dazzling lineup including all-star Dan Majerle and the league's most valuable player, Charles Barkley. In the seventh game of the Western finals, Sir Charles scored 44 points with 24 rebounds. The Suns also have the best season record in the NBA and lead the league in postseason scoring. But I welcome the challenge from my Chicago colleagues, if you are up to it.

The fans of Phoenix and the great State of Arizona are revved up and ready to cheer their team to victory. My good friends from the State of Illinois, I hope you are ready to hand over our steak dinner. I am sorry to say there is no three-peat in store for Chicago.

PASS FEDERAL FLOOD INSURANCE REFORMS BEFORE THE NEXT HURRICANE DISASTER

(Mr. BEREUTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BEREUTER. Mr. Speaker, I would like to issue a hurricane warning here this morning. While I address all the House I want to focus my remarks to those Members who come from Atlantic and Gulf Coast States.

We have had bad hurricanes lately; Andrew, the one that hit Charleston. But in reality we have been told by scientists that we have been at a lull. Now next year, according to a well-known atmospheric scientist who has a good track record, we can expect 11 hurricanes in the United States. Seven will be sufficiently intense that they can be named.

The bad news, Members, is we have \$36 million in the National Flood Insurance Program. An average intense hurricane can wipe out half a billion dollars in funds. FEMA estimates that we have, as of March, \$200 million and they are going to have to borrow money from the Federal Government to pay for floods in May in the Southwestern and Plains States.

Last year this Member along with Congressmen Erdreich and Carper brought a flood insurance reform bill to this floor. It passed here 388 to 18. Senator KERRY of the other body did an excellent job trying to bring that legislation, or its counterpart, to the other body. But it was blocked by one man.

I warn my colleagues we are going to have to take this reform because we are paying for unnecessary expensive replacement of structures all up and down our coasts. We have got a problem and we ought to face up to it now. I ask my colleagues on the Committee on Banking, Finance and Urban Affairs to move the legislation.

According to the scientific community, the coastal States are likely to experience many more storms, of the same magnitude as 1992's Hurricane Andrew, over the next 25 years. This prediction has also been made by the National Oceanic and Atmospheric Administration.

During the last Congress, the House passed a flood insurance reform bill by an overwhelming vote of 388-18. Despite the many efforts by Senator JOHN KERRY of Massachusetts, the Senate failed to pass a similar bill.

This Member urges, even warns, his colleagues on the House Banking Committee and his counterparts in the other body to take action in this Congress and put reforms in place before the next hurricane wreaks havoc on our coastlines and depletes the National Flood Insurance Fund.

Thank you.

DING DONG THE BTU TAX IS DEAD

(Mr. TAUZIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAUZIN. Mr. Speaker, ding dong the tax is dead; which old tax? The Btu. Ding dong the Btu is dead.

There will be real celebration among many areas of this country to know that Secretary Bentsen declared last night about midnight that the Btu tax is officially dead and there are many in this House who are grateful for that declaration.

We are not yet certain what the Senate will produce in its place, but at least this first step toward improving the President's economic plan is apparently accomplished. At least this bad idea of a Btu tax has finally been put to sleep.

CLINTON'S TAX BILL: WHERE IS CLINTON'S TAX CUT?

(Mr. BAKER of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BAKER of California. Mr. Speaker, "I have a plan to get this economy moving and it starts with a middle-class tax cut." These were the refreshing words of candidate Bill Clinton on the campaign trail, the candidate who believed that tax cuts led to economic growth.

This statement reflects an understanding of economics and the responsiveness to public opinion.

However, now that he is in office President Clinton has forgotten what got him elected and is breaking his promises in order to pay for more big spending programs. Just when the economy is emerging from a recession caused in part by high taxes the President proposes to slam the brakes on the recovery with his tax bill. This tax package will reduce productivity and consumption, which will slow down a gradually recovering economy and cause another recession.

Last Saturday voters in Texas overwhelmingly supported KAY BAILEY HUTCHISON, rejecting BOB KRUEGER and the tax and spend policies he represented. Yesterday in the city of Los Angeles where Democrats outnumber Republicans 61 percent to 25 percent, the Republican candidate won by 10 percent. As Democrat candidates try to distance themselves from a job-killing energy tax, a levy on seniors' Social Security benefits, and a hefty increase in income taxes, the voice of the people is being heard.

Mr. Speaker, I urge the Senate to protect our constituents from the largest tax increase in the history of our country, President Clinton's tax plan. Let us cut Government spending further and give middle-class Americans the break that candidate Clinton promised them.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MAZZOLI). The Chair would take this moment to announce that under House

rules Members of the House should not urge nor ask for action in the other body.

PEOPLE HAVE BAD MOTIVES WHEN THEY HAVE GUNS: THEY KILL

(Mr. SCHUMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, the National Rifle Association, the NRA, proclaims "Guns don't kill, people do."

Let me mention and share with you two incidents that occurred in my city that show the speciousness of the NRA's claim.

In one a 42-year-old schoolteacher was riding his bicycle in the park. Four young thugs tried to take the bicycle away from him. He resisted and as he rode away they shot him in the back, dead. He leaves a wife and two children as our whole community mourns.

In the second incident a young man in the other part of town, a 16-year-old, cried out as some thugs approached him "Don't kill me, don't kill me." The youth, Andre Sarvis, cried out as he was about to be shot, an eyewitness said, "But they shot him."

In each case, Mr. Speaker, there were bad people around. If the four youths in Prospect Park did not have guns the teacher would have rode away safely. If the young people, the young punks who shot this young man did not have guns, there might have been a black eye, perhaps even a broken nose, not a weeping family.

I would say to the NRA: People have bad motives, when they have guns they kill.

□ 1300

CONGRATULATIONS TO NEW YORK'S WESTHILL, A "BLUE RIBBON SCHOOL"

(Mr. WALSH asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WALSH. Mr. Speaker, I rise today to pay tribute to the educators, administrators, students, and parents from the Westhill School District who have recently been honored by the U.S. Department of Education as a "Blue Ribbon School."

Not only is Westhill in my 25th District of New York, it is the school district in which I live. My son goes to Westhill Senior High School and my wife Dede and I have been very impressed with the attitude of the teaching team at Westhill. We and our neighbors are not surprised to learn of this tremendous recognition.

This honor, for outstanding excellence in a variety of areas, comes on the heels of another honor for Westhill.

Last year it was named by Redbook magazine as one of the top 140 high schools in the country.

Asked for a response by a local newspaper, Principal Richard Cavallaro properly gave credit to the students and faculty at Westhill who have established a team attitude that works. I ask my colleagues to join me in congratulating everyone at Westhill for this important and significant achievement.

I am very proud to represent these champions of education.

HEALTH CARE REFORM POLICY IN PUERTO RICO

(Mr. DE LUGO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DE LUGO. Mr. Speaker, my office has been told by the White House that health care reform policy advisors at the highest levels are recommending to the President that the U.S. citizens in Puerto Rico and the territories not be fully included in the national proposal because of the cost of Puerto Rico. They tell me the insular areas would have to meet employer mandates on health insurance, requiring every employer and employee to pay into the system, but would not be fully eligible for subsidies under the national program for the poor, unemployed, and the lower income.

What kind of policy is this? Puerto Rico and the territories are in, but they are out? Resident aliens on the mainland will have more rights and more benefits than the U.S. citizens of Puerto Rico, the Virgin Islands, and other U.S. territories.

Why? Because Puerto Rico costs too much. Is this how we set health care policy? Is this how we treat American citizens in our Nation's territories?

As chairman of the subcommittee with jurisdiction over the insular areas, I hope the President and the First Lady will not listen to advisors who say discriminate against medically needy U.S. citizens because it is just too much trouble to treat them fairly.

TIME FOR PARTISAN HAGGLING TO STOP

(Mr. HOKE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOKE. Mr. Speaker, I was very concerned to find recently that certain Democratic Members of the Congress who refused to support the President's economic program due to excessive tax increases and a lack of spending cuts might be punished, have been threatened with punishment by the House Democratic leadership.

Mr. Speaker, it is time for the partisan haggling to stop. The American

people did not elect us to be Democrats first or Republicans first, but to be Americans first. They want us to put partisan politics aside and work on a bipartisan basis to build a brighter future for America.

Threatening subcommittee chairmen by the Democratic leadership in this Congress because they happened to vote their conscience for their districts in a way that was consistent with their own beliefs is not the way to put partisan bickering aside.

In sending Mr. Clinton to the White House, the American people endorsed a self-proclaimed new Democrat who sought to reduce Government spending, create jobs, decrease the tax burden on working Americans and support a balanced budget amendment.

As the President has abandoned these central themes of his campaign, his popularity has plummeted. Americans no longer have confidence in his ability to stimulate the American economy.

Mr. Speaker, in order to regain the support and the confidence of the American people, the President has to return to the principles of his campaign, the themes that he was elected on. As he moves to reduce the tax burden faced by working Americans, implement a balanced budget amendment and reduce Government spending, my colleagues and I pledge to fully support him.

Mr. Speaker, let us work together to create hope and opportunity for working Americans.

LYME DISEASE AWARENESS WEEK

(Mr. SMITH of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Speaker, this week is Lyme Disease Awareness Week. It is part of a national effort to educate people about how they can protect themselves against this tragic disease. It also underscores the urgent need for increased funding to develop a more reliable test for diagnosis, a more effective treatment, and—eventually—a cure.

Last year, nearly 10,000 people were diagnosed with Lyme disease—many of them in my home State of New Jersey. Nationwide this is an increase of 2.2 percent from 1991. And the Centers for Disease Control [CDC] estimates that this number may be deceptively low because so many cases go unreported or misdiagnosed each year.

Lyme disease is more than physically debilitating; it leaves its victims and loved ones emotionally drained as well. I represent the two most highly endemic counties in New Jersey and I have witnessed the devastating effects of this illness. During its active stages, individuals suffering with Lyme disease literally cannot function. They are crippled by extreme fatigue and disabling headaches.

Some of the most heartbreaking accounts that I have witnessed are of the young people stricken with Lyme. In Jackson Township, for instance, 170 students were diagnosed with Lyme disease last year—100 of them in the township middle school. Several of these children were so ill that they required home instruction. It takes little to recognize the staggering impact that such an illness makes on a young person's life.

To add insult to injury, this disease is enormously expensive. In addition to the numerous prescription drugs required—some of which cost up to \$550, patients require frequent lab tests and medical examinations by rheumatologists, neurologists, and general practitioners. IV therapy—recommended by many doctors as the most effective treatment—often leaves Lyme patients with thousands of dollars in medical bills.

Too often, insurance companies—operating on a strict policy of no more than 4 weeks of IV therapy—dump these bills right into the laps of the Lyme patients. In New Jersey, where we commemorated Lyme Disease Awareness Month in May, legislation is moving through the legislature to end this narrow-minded policy by requiring insurers to provide benefits for care deemed medically necessary by the attending physician. I highly commend this effort.

Lyme disease, which was early on believed to be a regionalized and low-key illness, has now spread to every State but Alaska and Montana. Nearly 50,000 cases of Lyme disease have been reported to the CDC since 1982, when the CDC began to record such data. New Jersey remains ranked highly on the list of those States most affected. Over the past year, I have held meetings, and facilitated public meetings with top researchers from the NIH and CDC as well as community activists and New Jersey officials in an effort to get the word out on Lyme disease and keep the gears moving smoothly toward an eventual cure.

Mr. Speaker, we must do more to educate people about Lyme disease, to expand preventative measures and tick control, and to increase research for Lyme disease. Yet, funding for Lyme research remains static and scattered among several Federal agencies. The consensus in the medical and research communities is that better methods are needed for diagnosis, treatment, and prevention—it is up to us to act on this recommendation.

ARE THE DEMOCRATS LISTENING?

(Mr. ROHRABACHER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROHRABACHER. Mr. Speaker, the polls are closed. The ballots have

been counted and the whole State of Texas is speaking.

Are the liberal Democrats who control both Houses of Congress listening? Is the White House listening?

The election of a novice Republican businessman as mayor of Los Angeles, the 2 to 1 victory of the Republican candidate for the Senate in Texas are symbolic of a revolution sweeping our country.

The American people do not want any more taxes taken out of their take-home pay. They do not want to be taxed at the gas pump. They do not want to have taxes passed on to them hidden in the price of everything they buy as a result of supposedly taxing big business.

No new taxes. Read their lips. They mean it.

Ignore the voters at your own peril.

IN SUPPORT OF AMENDMENT TO CUT 25 PERCENT FROM CONGRESSIONAL BUDGET

(Ms. DUNN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DUNN. Mr. Speaker, the voice of the American people slowly but surely is penetrating the walls of this Congress of ours.

Today we read that the White House is apparently throwing in the towel on the Btu tax. It appears that the people's message is sinking in. Cut spending first.

I believe Americans see things pretty accurately in this historic budget debate. They see they are not undertaxed. They see that spending can be cut and cut boldly, and they see that right now Congress is not leading the way.

Instead, some in the Congress of this United States want to punish those who are not voting for big tax increases.

Well, this week we have a chance to show the American people that the U.S. House of Representatives is willing and able to lead by example and make bold cuts in our own overgrown bureaucracy.

We can do this by passing an amendment to cut 25 percent from congressional committee budgets.

We should cut spending first, Mr. Speaker, and we should first cut spending here in the Congress.

INTRODUCTION OF CAMPAIGN REFORM BILL

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I recently introduced legislation to reform certain activities in Congress and the way this House conducts its campaigns. A

major goal of this measure is to change the way candidates raise money.

My bill treats PAC's exactly the same as individuals, projects the same limits. It requires that 90 percent of candidates' contributions from within the candidate's State and 60 percent from the district which the candidate seeks to represent.

To remove the overwhelming incumbent advantage, and occasional abuse of free mail, my bill cuts franking budgets by 50 percent and prohibits bulk mailing within 180 days of an election.

Other provisions include banning soft money, denying tax deductions for lobbying activities, and prohibiting lobbyist paid travel for members and staff.

Last but not least, the bill includes term limitation language * * * unquestionably the most popular campaign reform idea in America today.

These provisions add up to real campaign reform that removes the undue influence of special interests, gives campaigns back to the voters a candidate has to face who he wishes to represent. It levels the playing field.

It will be a real Fourth of July present for America. I urge support.

NO RIGHT WAY TO DO THE WRONG THING

(Mr. SAXTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAXTON. Mr. Speaker, there is no right way to do the wrong thing.

Not long ago this House passed by a margin of 219 to 213 a provision that would provide the biggest tax increase in the history of our country. That bill went over to the Senate and on to the President. The President and the Senate started to look for other ways to do it, because they say they want to get it right.

This morning in the Washington Post I read about a B-Be tax. I guess that stands for broad-based energy tax.

We hear from time to time about a VAT tax.

We hear from time to time about increasing income taxes even more than was proposed here on the floor.

Whether you do an increase in the income tax, a VAT tax, a B-Be tax, call it what you will, there simply is no right way to do the wrong thing.

□ 1310

BTU MEANS BILL'S TAXES, UNLIMITED

(Mr. MANZULLO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MANZULLO. Mr. Speaker, Btu stands for Bill's Taxes, Unlimited. My colleagues, perhaps we should have

some type of a game show called "Tax of the Week," or "Tax of the Day" or "Name That Tax," and they could open up screen No. 1, and they could have this tax; screen No. 2, this tax; and screen No. 3, that tax, and the grand prize of all is the biggest tax.

And now we have the biggest taxers saying, "I'm not really going to suggest what type of tax the Democratic majority comes up with, just my broad-based plan, and the Democrats can choose what type of tax they will give to the American taxpayer."

Mr. Speaker, the people back home are saying they have had enough taxes, they have had enough arm twisting set forth in the Washington Post, and they want their taxes decreased, they do not want them increased.

CONGRATULATIONS TO MAYOR-ELECT RICHARD RIORDAN

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I take the well this afternoon to extend congratulations to the newly elected mayor of the city of Los Angeles, Richard Riordan. Mr. Riordan is a very successful businessman who was elected in large part on his commitment to bring a businesslike sense to the city of Los Angeles.

Mr. Speaker, it is no secret that over the past several years Los Angeles has been one of the most troubled cities in our country due to racial problems, cutbacks in the defense and aerospace industries, and a wide range of other things. We need to have a new direction, and it seems to me that in the acceptance speech which he gave last night Mr. Riordan clearly stated where it is we want to go.

Mr. Speaker, he said:

Together we can deal with the problems of crime and drug trafficking. Together we can deal with the economic problems that we face in southern California. Together we can deal with the problems of education. There are a wide range of things that need to be addressed.

Mr. Speaker, I wish mayor-elect Riordan well as he takes on a very, very formidable challenge.

REPUBLICANS IN LOCKSTEP WITH THE AMERICAN PEOPLE

(Mr. WALKER asked and was given permission to address the House for 1 minute.)

Mr. WALKER. Mr. Speaker, one Member of the majority party earlier in the 1-minutes suggested that Republicans, because they voted unanimously against the tax increase, were forced into that position.

Mr. Speaker, I am sure that that Member is not familiar with the facts and spoke only in emotion because the

fact is I am the guy who counts heads on the Republican side, and I can assure that Member that absolutely no one on the Republican side was forced to vote against the tax increase.

In fact, the Republicans recognized that we were on the same wave length with the American people, and every Republican realized that what they were doing was voting in lockstep with the American people, and so there was no attempt to force them to vote in lockstep with the Republican leadership. We were in lockstep with where the American people were, and Republicans proudly voted against the tax increase because they recognized that Americans are already taxed too much.

CONGRATULATIONS TO SHANNON GRAY

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I would like to take a moment this morning to congratulate a very courageous young woman in my district who has taken on considerable odds to stand up for what she believes in.

This afternoon, Shannon Gray of Wolfson High School in Jacksonville, FL, will participate in her high school class graduation. She has stood up for the right of school children across this country to exercise their constitutional freedom of speech and choose to have a voluntary prayer as part of their graduation ceremony.

As a result of her initiative and the vote of a clear majority of her classmates, the graduating class of 1993 will be able to acknowledge the role that faith has played in their achievement. For them, the ceremony will be complete.

On Monday, the Supreme Court ruled that nonsectarian, student-initiated prayer could be included as part of public school graduation ceremonies. This was a welcome recognition by the Court that freedom of religion, not from religion, should be the standard for church-state relations.

Shannon Gray, her classmates, and students like her throughout this country have moved our Nation closer to a recognition of the appropriate role of religion in our society. I congratulate them on their graduation and this special achievement.

\$459,000 DOWN THE DRAIN

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, the Washington Times reported today that the U.S. Public Health Service has spent over \$4 million in the last 5 years sending its employees to the International AIDS Conference.

This week, 131 employees are attending at an average cost of \$3,500 per person.

These conferences really have been little more than taxpayer-funded vacations for bureaucrats.

The conferences have taken place in Montreal, San Francisco, Florence, Italy, Amsterdam, and now Berlin.

This week the Public Health Service is sending \$459,000 down the drain on this meeting.

The leading British scientific journal *Nature* said this week that "the AIDS conferences have outlived their usefulness" and "should be stopped."

In the same magazine, Dr. John Moore, of the Aaron Diamond AIDS Research Center in New York, wrote:

The International AIDS meeting has long since shot its bolt as a worthwhile forum for debate—it is far too large, unfocused, and glitzy * * *

All over this country people want us to stop wasting so much tax money.

Yet many Federal bureaucrats know they are so protected by the civil service system that they can do anything they please, no matter how much it costs.

Four or five people could have easily represented the United States at this conference and brought back any worthwhile information.

This is a ridiculous waste of taxpayer funds. But next year we will spend hundreds of thousands more on this annual holiday. Next year it will be a junket to Japan.

PASSENGER VESSEL SAFETY ACT OF 1993

The SPEAKER pro tempore (Mr. MAZZOLI). Pursuant to House Resolution 172 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1159.

□ 1316

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1159) to revise, clarify, and improve certain marine safety laws of the United States, and for other purposes, with Mr. TORRICELLI (chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Monday, May 24, 1993, all time for general debate had expired.

Pursuant to the rule, the Committee amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment, and each section is considered as read. The Clerk will designate section 1.

The text of section 1 is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Passenger Vessel Safety Act of 1993".

The CHAIRMAN pro tempore. Are there any amendments to section 1?

Mr. STUDDS. Mr. Chairman, I ask unanimous consent that the balance of the committee amendment in the nature of a substitute made in order as original text under the rule be printed in the RECORD and open to amendment at any point.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The text of the remainder of the committee amendment in the nature of a substitute is as follows:

SEC. 2. PASSENGER.

Section 2101(21) of title 46, United States Code, is amended to read as follows:

"(21) 'passenger'—

"(A) means an individual carried on the vessel except—

"(i) the owner or an individual representative of the owner or, in the case of a vessel under charter, an individual charterer or individual representative of the charterer;

"(ii) the master; or

"(iii) a member of the crew engaged in the business of the vessel who has not contributed consideration for carriage and who is paid for on board services.

"(B) on an offshore supply vessel, means an individual carried on the vessel except—

"(i) an individual included in clause (i), (ii), or (iii) of subparagraph (A) of this paragraph;

"(ii) an employee of the owner, or of a subcontractor to the owner, engaged in the business of the owner;

"(iii) an employee of the charterer, or of a subcontractor to the charterer, engaged in the business of the charterer; or

"(iv) an individual employed in a phase of exploration, exploitation, or production of offshore mineral or energy resources served by the vessel.

"(C) on a fishing vessel, fish processing vessel, or fish tender vessel, means an individual carried on the vessel except—

"(i) an individual included in clause (i), (ii), or (iii) of subparagraph (A) of this paragraph;

"(ii) a managing operator;

"(iii) an employee of the owner, or of a subcontractor to the owner, engaged in the business of the owner; or

"(iv) an employee of the charterer, or of a subcontractor to the charterer, engaged in the business of the charterer.

"(D) on a sailing school vessel, means an individual carried on the vessel except—

"(i) an individual included in clause (i), (ii), or (iii) of subparagraph (A) of this paragraph;

"(ii) an employee of the owner of the vessel engaged in the business of the owner, except when the vessel is operating under a demise charter;

"(iii) an employee of the demise charterer of the vessel engaged in the business of the demise charterer; or

"(iv) a sailing school instructor or sailing school student."

SEC. 3. PASSENGER VESSEL.

Section 2101(22) of title 46, United States Code, is amended to read as follows:

"(22) 'passenger vessel' means a vessel of at least 100 gross tons—

"(A) carrying more than 12 passengers, including at least one passenger for hire;

"(B) that is chartered and carrying more than 12 passengers; or

"(C) that is a submersible vessel carrying at least one passenger for hire."

SEC. 4. SMALL PASSENGER VESSEL.

Section 2101(35) of title 46, United States Code, is amended to read as follows:

"(35) 'small passenger vessel' means a vessel of less than 100 gross tons—

"(A) carrying more than 6 passengers, including at least one passenger for hire;

"(B) that is chartered with the crew provided or specified by the owner or the owner's representative and carrying more than 6 passengers;

"(C) that is chartered with no crew provided or specified by the owner or the owner's representative and carrying more than 12 passengers; or

"(D) that is a submersible vessel carrying at least one passenger for hire."

SEC. 5. UNINSPECTED PASSENGER VESSEL.

Section 2101(42) of title 46, United States Code, is amended to read as follows:

"(42) 'uninspected passenger vessel' means an uninspected vessel—

"(A) of at least 100 gross tons—

"(i) carrying not more than 12 passengers, including at least one passenger for hire; or

"(ii) that is chartered with the crew provided or specified by the owner or the owner's representative and carrying not more than 12 passengers; and

"(B) of less than 100 gross tons—

"(i) carrying not more than 6 passengers, including at least one passenger for hire; or

"(ii) that is chartered with the crew provided or specified by the owner or the owner's representative and carrying not more than 6 passengers."

SEC. 6. PASSENGER FOR HIRE.

Section 2101 of title 46, United States Code, is amended by inserting between paragraphs (21) and (22) a new paragraph (21a) to read as follows:

"(21a) 'passenger for hire' means a passenger for whom consideration is contribution as a condition of carriage on the vessel, whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person having an interest in the vessel."

SEC. 7. CONSIDERATION.

Section 2101 of title 46, United States Code, is amended by inserting between paragraphs (5) and (6) a new paragraph (5a) to read as follows:

"(5a) 'consideration' means an economic benefit, inducement, right, or profit including pecuniary payment accruing to an individual, person, or entity, but not including a voluntary sharing of the actual expenses of the voyage, by monetary contribution or donation of fuel, food, beverage, or other supplies."

SEC. 8. OFFSHORE SUPPLY VESSEL.

Section 2101(19) of title 46, United States Code, is amended by inserting "individuals in addition to the crew," immediately after "supplies," and by striking everything after "resources" to the period at the end.

SEC. 9. SAILING SCHOOL VESSEL.

Section 2101(30) of title 46, United States Code, is amended in subparagraph (B) by striking "at least 6" and substituting "more than 6".

SEC. 10. SUBMERSIBLE VESSEL.

Section 2101 of title 46, United States Code, is amended by inserting between paragraphs (37) and (38) a new paragraph (37a) to read as follows:

"(37a) 'submersible vessel' means a vessel that is capable of operating below the surface of the water."

SEC. 11. GENERAL PROVISION.

(a) Section 2113 of title 46, United States Code, is amended to read as follows:

"§2113. Authority to exempt certain vessels"

"If the Secretary decides that the application of a provision of part B, C, F, or G of this subtitle is not necessary in performing the mission of the vessel engaged in excursions or an oceanographic research vessel, or not necessary for the safe operation of certain passenger vessels, the Secretary by regulation may—

"(1) for an excursion vessel, issue a special permit specifying the conditions of operation and equipment;

"(2) exempt an oceanographic research vessel from that provision under conditions the Secretary may specify; and

"(3) establish different operating and equipment requirements for vessels defined in section 2101(42)(A) of this title."

(b) Section 4105 of title 46, United States Code, is amended—

(1) by inserting "(a)" before the text; and
(2) by adding a new subsection (b) to read as follows:

"(b) Within twenty-four months of the date of enactment of this subsection, the Secretary shall, by regulation, require certain additional equipment including liferafts or other lifesaving equipment, construction standards, or specify additional operating standards for those uninspected passenger vessels defined in section 2101(42)(A) of this title."

SEC. 12. EFFECTIVE DATE.

(a) Regulations governing small passenger vessels and passenger vessels, as those terms are defined in 46 U.S.C. 2101, which are chartered with no crew provided shall not apply before May 1, 1994.

(b) The Secretary of the Department in which the Coast Guard is operating may extend the time period for compliance with the regulations referenced in subsection (a) for an additional period of up to one year if the owner of the vessel demonstrates to the satisfaction of the Secretary that a good faith effort, with due diligence and care, has failed to enable compliance with the deadline under subsection (a).

AMENDMENT OFFERED BY MR. TAUZIN

Mr. TAUZIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TAUZIN:

Page 8, line 6, strike "passenger vessels" and insert "vessels carrying passengers".

Page 8, line 24, strike "including and insert "which may include".

Mr. TAUZIN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from Louisiana [Mr. TAUZIN] is recognized for 5 minutes.

Mr. TAUZIN. Mr. Chairman, my amendment makes two technical changes to section 11 of the bill which is a section that authorizes the Coast Guard to issue exemptions to passenger vessels under limited circumstances. The term "passenger vessel" is defined under the law to be those vessels over 100 gross tons and are the most stringently regulated. The use of the term "passenger vessel" was a drafting error. The first amendment clarifies that the Coast Guard has the authority to exempt inspected vessels carrying passengers from the more stringent

regulations for special occasions such as fundraisers through the excursion permit process. The vessel will still have to satisfy the Coast Guard as being safe. There are some vessels, such as Hatteras yachts, which have an excellent safety record, which are well-constructed vessels, which do not meet the current stringent hull requirements. The second provision allows the Coast Guard to adopt new rules designed specifically to provide for these types of fiberglass hulls. This change clarifies that the Coast Guard is not mandated to issue regulations in each of the areas listed. Rather these are areas that should be considered when developing the regulations, and I move adoption of the amendment.

Mr. FIELDS of Texas. Mr. Chairman, will the gentleman yield?

Mr. TAUZIN. I yield to the gentleman from Texas.

Mr. FIELDS of Texas. Mr. Chairman, as I understand, the gentleman's amendment has been cleared by the minority staff and this amendment is basically technical in nature.

Mr. TAUZIN. Mr. Chairman, that is the understanding of the gentleman here.

Mr. FIELDS of Texas. Mr. Chairman, I urge all Republican Members to vote in favor of the amendment offered by the gentleman from Louisiana [Mr. TAUZIN].

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Louisiana [Mr. TAUZIN].

The amendment was agreed to.

□ 1320

AMENDMENT OFFERED BY MR. DEUTSCH

Mr. DEUTSCH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DEUTSCH: Section 12(b) of H.R. 1159 is amended to read as follows:

"(b) The Secretary of the Department in which the Coast Guard is operating may extend the time period for compliance with the regulations referenced in subsection (a) for an initial period of up to one year and may extend the period of compliance for one additional period of up to one year if the owner of the vessel demonstrates to the satisfaction of the Secretary that a good faith effort, with due diligence and care, has failed to enable compliance with the deadline under subsection (a)."

Mr. DEUTSCH (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore (Mr. TORRICELLI). Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DEUTSCH. Mr. Chairman, safety on the water is of importance to us all and to our constituents. However, as we legislate new requirements on bareboat operators around the country, we should also strive for fairness. This

amendment would provide some fairness to those bareboat charter operators who make a good faith effort to come into compliance with the provisions of the Passenger Vessel Safety Act, but are unable to do so within the timetable assigned under the current bill.

Questions have arisen as to the fairness of the deadline for compliance with the provisions of this bill. Currently, the bill requires that vessels come into compliance with the bill by May 1, 1994. Additionally, an owner of a vessel can petition for a 1-year extension to come into compliance. The Coast Guard can grant this application if, and only if, the owner is making a good faith effort to come into compliance with the regulations. However, the economics of this situation dictate that it may not be possible for boat owners to come into compliance within this time period. My amendment would amend section 12(b) of the bill, to give owners the ability to petition for, and the Coast Guard the authority to provide, a second 1-year extension, provided the owner of the vessel is making a good faith effort to come into compliance.

While this bill closes the loophole that allows bareboat charter operations to act as de facto uninspected large passenger vessels, as a result of this bill, many bareboat operators will be forced to undergo the expense of retrofitting their boats to come into compliance with the more stringent regulations. In some cases, these costs will run upwards of \$150,000, a significant expense for these small businesses. It may take time for the owners of these vessels to make all of the necessary improvements. However, under my amendment, should the owner of a vessel make the effort to come into compliance, for example, making some of the necessary improvements, the Coast Guard would have the authority to grant an additional year's extension.

Another potential problem for owners of vessels is space in shipyards. While there are a limited number of shipyards in south Florida and around the country, it may be difficult for some owners of vessels to come into compliance purely out of a lack of space.

This amendment is not an attempt to create another loophole for unsafe boats. Rather, this amendment seeks to provide a means through which the Coast Guard can implement these regulations, allowing the Coast Guard to provide an additional year to complete the retrofitting of their boats. This amendment will, in no way, allow an unsafe boat to operate, as the additional year is contingent on the Coast Guard granting a waiver to the owner who is making a good faith effort to come into compliance with the more stringent regulations.

In closing, Mr. Chairman, I would like to thank the chairman of the Merchant Marine and Fisheries Committee, Mr. STUDDS, and his fine staff for all of their assistance in this matter. I think that this amendment represents a fair compromise that will enable more boats to come into compliance with these regulations.

Mr. Chairman, I urge adoption of the amendment.

Mr. STUDDS. Mr. Chairman, will the gentleman yield?

Mr. DEUTSCH. I yield to the gentleman from Massachusetts.

Mr. STUDDS. Mr. Chairman, I would just advise the gentleman from Florida [Mr. DEUTSCH] that this amendment is very much in the spirit of the bill as reported by the committee and has our support.

Mr. FIELDS of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the minority has reviewed this amendment and I must say in all candor that I have some concerns about this proposed change.

During our subcommittee markup of H.R. 1159, the distinguished author of the bill, BILLY TAUZIN, successfully offered an amendment to extend from 1 to 2 years the phase in of the Coast Guard inspection requirements.

Frankly, I believe that 2 years is a generous concession to these bareboat charter operators and it will give them adequate time to acquire any necessary safety equipment or to retrofit their vessels.

We must remember that the fundamental goal of this legislation is to protect the lives of Americans who now sail on potentially unsafe bareboat charters. It seems to me that a 2-year phase in is more than sufficient.

Mr. Chairman, while I will not ask for a recorded vote on this amendment, since it is discretionary in nature, it is my hope that the Coast Guard will not utilize this language and will not delay the enforcement of these regulations 1 day longer than necessary.

Mr. TAUZIN. Mr. Chairman, will the gentleman yield?

Mr. FIELDS of Texas. I yield to the gentleman from Louisiana.

Mr. TAUZIN. Mr. Chairman, I want to state for the RECORD that I share the same concerns that the gentleman from Texas [Mr. FIELDS] has expressed. As the gentleman knows, we did amend the bill to create the 1-year additional authorizing period for these compliances to take place.

The gentleman from Florida [Mr. DEUTSCH], however, has brought to our attention the possibility in very rare circumstances where a shipyard capacity may not be available to a boatowner in time for him to make the necessary hull repairs or configuration changes as required under the new stringent regulations. Under that rare circumstance, the gentleman's amendment would give the Coast Guard dis-

cretion only to give them additional time to comply.

Mr. Chairman, while it does open the door a bit to extending the time period beyond that which we agreed to in committee, I nevertheless think it tightly enough is written and the Coast Guard, I think, has been properly advised that this section should only be used in the rarest of circumstances, where those circumstances exist where compliance cannot be achieved in time.

Mr. Chairman, with that in mind, I think the amendment is not perhaps as bad as it might read on its face.

Mr. FIELDS of Texas. Mr. Chairman, reclaiming my time, I appreciate the statement of the gentleman from Louisiana [Mr. TAUZIN]. It is because of the concerns of the gentleman from Florida [Mr. DEUTSCH] and the point that he made that I will not ask for a recorded vote. But again, I think for the RECORD, it is important to state on our side of the aisle that we have few concerns, particularly based on the deft and great craftsmanship of your legislative vehicle in our committee.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Florida [Mr. DEUTSCH].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: At the end of the bill add the following:

SEC. . SENSE OF CONGRESS REGARDING USE OF VESSELS CONSTRUCTED IN UNITED STATES FOR CARRYING PASSENGERS FOR HIRE.

It is the sense of the Congress that persons who, for the purpose of carrying passengers for hire in the United States, operate or charter vessels with respect to which this Act (including the amendments made by this Act) applies should only operate and charter for that purpose vessels constructed in the United States.

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this is basically a sense-of-the-Congress amendment that persons who carry passengers for hire whenever possible operate in charter vessels that are made in America.

I would like to say to the Congress of the United States that if more Americans bought more American-made products, we could do with a lot less tax increases and have a much more robust and vibrant economy.

Mr. STUDDS. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. Mr. Chairman, I yield to the chairman of the committee, the gentleman from Massachusetts.

Mr. STUDDS. Mr. Chairman, it is impossible to argue with the spirit and thrust of what the gentleman from Ohio [Mr. TRAFICANT] seeks to do.

Mr. FIELDS of Texas. Mr. Chairman, will the gentleman yield?

Mr. TRAFICANT. Mr. Chairman, I yield to the ranking member of the committee, the gentleman from Texas.

Mr. FIELDS of Texas. Mr. Chairman, I have no problem with this amendment and I urge my colleagues to support it.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

Mr. TAUZIN. Mr. Chairman, before we move to final passage on this measure, let me acknowledge the work of a gentleman dedicated to saving lives and dedicated to his service. Capt. Robert North, Deputy Chief of the Coast Guard Marine Safety, Security and Environmental Protection Office, first brought this issue to our attention more than a year ago. Captain North has brought his field experiences to bear in making needed changes in the law to protect the lives of unsuspecting bareboat charterers.

Mr. Chairman, Captain North should be congratulated for his efforts.

The CHAIRMAN pro tempore. Are there further amendments? If not, the question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MCNULTY) having assumed the chair, Mr. TORRICELLI, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1159) to revise, clarify, and improve certain marine safety laws of the United States, and for other purposes, pursuant to House Resolution 172, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. STUDDS. Mr. Chairman, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 409, nays 4, not voting 20, as follows:

[Roll No. 202]

YEAS—409

Abercrombie	Crane	Hastings
Ackerman	Crapo	Hayes
Allard	Cunningham	Hefley
Andrews (ME)	Danner	Hefner
Andrews (NJ)	Darden	Herger
Andrews (TX)	de la Garza	Hilliard
Applegate	Deal	Hinchey
Archer	DeLauro	Hoagland
Armey	DeLay	Hobson
Bacchus (FL)	Dellums	Hochbrueckner
Bacchus (AL)	Derrick	Hoke
Baessler	Deutsch	Holden
Baker (CA)	Diaz-Balart	Horn
Baker (LA)	Dickey	Houghton
Ballenger	Dicks	Hoyer
Barca	Dingell	Huffington
Barcia	Dixon	Hughes
Barlow	Dooley	Hunter
Barrett (NE)	Dreier	Hutchinson
Barrett (WI)	Duncan	Hutto
Bartlett	Dunn	Hyde
Barton	Durbin	Inglis
Bateman	Edwards (CA)	Inhofe
Becerra	Edwards (TX)	Inslee
Beilenson	Emerson	Istook
Bentley	Engel	Jacobs
Bereuter	English (AZ)	Jefferson
Berman	English (OK)	Johnson (CT)
Beverly	Eshoo	Johnson (SD)
Bilbray	Evans	Johnson, E. B.
Billirakis	Everett	Johnson, Sam
Blackwell	Ewing	Johnston
Bliley	Fawell	Kanjorski
Blute	Fazio	Kaptur
Boehlert	Fields (LA)	Kasich
Boehner	Fields (TX)	Kennedy
Bonilla	Filner	Kennelly
Bonior	Fingerhut	Kildee
Borski	Fish	Kim
Boucher	Flake	King
Brewster	Foglietta	Kingston
Browder	Ford (MI)	Klecza
Brown (CA)	Ford (TN)	Klein
Brown (FL)	Fowler	Klink
Brown (OH)	Frank (MA)	Klug
Bryant	Franks (CT)	Knollenberg
Bunning	Franks (NJ)	Kolbe
Burton	Frost	Kopetski
Buyer	Furse	Kreidler
Byrne	Galleghy	Kyl
Callahan	Gallo	LaFalce
Calvert	Gedensson	Lambert
Camp	Gekas	Lancaster
Canady	Gephardt	Lantos
Cantwell	Geren	LaRocco
Cardin	Gibbons	Laughlin
Carr	Gillmor	Lazio
Castle	Gilman	Leach
Chapman	Gingrich	Levin
Clay	Glickman	Levy
Clayton	Gonzalez	Lewis (CA)
Clement	Gordon	Lewis (FL)
Clinger	Goss	Lewis (GA)
Clyburn	Grams	Lightfoot
Coble	Grandy	Linder
Coleman	Green	Lipinski
Collins (IL)	Greenwood	Lloyd
Collins (MI)	Gunderson	Long
Combest	Gutierrez	Lowe
Condit	Hall (OH)	Machtley
Conyers	Hall (TX)	Maloney
Cooper	Hamburg	Mann
Coppersmith	Hamilton	Manton
Costello	Hancock	Manzullo
Cox	Hansen	Margolies-
Coyne	Harman	Mezvinsky
Cramer	Hastert	Markey

Martinez
Matsui
Mazzoli
McCandless
McCloskey
McCollum
McCrery
McCurdy
McDade
McDermott
McHale
McHugh
McInnis
McKeon
McKinney
McMillan
McNulty
Meehan
Meek

Menendez
Meyers
Mfume
Mica
Michel
Miller (CA)
Miller (FL)
Mineta
Minge
Mink
Moakley
Molinari
Mollohan
Montgomery
Moorhead
Moran
Morella
Murphy
Murtha
Myers
Nadler
Natcher
Neal (MA)
Neal (NC)
Nussle
Oberstar
Obey
Oliver
Ortiz
Orton
Owens
Oxley
Packard
Pallone
Parker
Pastor
Paxon
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)

Petri
Pickett
Pickle
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quillen
Quinn
Rahall
Ramstad
Rangel
Ravenel
Reed
Regula
Reynolds
Richardson
Ridge
Roberts
Roemer
Rogers
Rohrabacher
Ros-Lehtinen
Rose
Rostenkowski
Roth
Roukema
Roybal-Allard
Royce
Rush
Sabo
Sanders
Santorum
Santorum
Sarpaluis
Sawyer
Saxton
Schaefer
Schenck
Schiff
Schroeder
Schumer
Scott
Sensenbrenner
Serrano
Sharp
Shaw
Shays
Shepherd
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slatery
Slaughter
Smith (IA)

Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Spratt
Stark
Stearns
Stenholm
Stokes
Strickland
Studds
Stupak
Sundquist
Swett
Swift
Synar
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Tejeda
Thomas (CA)
Thomas (WY)
Thompson
Thornton
Thurman
Torkildsen
Torres
Torricelli
Towns
Traficant
Tucker
Unsoeld
Upton
Valentine
Vento
Visclosky
Volkmer
Vucanovich
Walsh
Waters
Watt
Weldon
Wheat
Williams
Wise
Wolf
Woolsey
Wyden
Wynn
Yates
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—4

Doolittle
Penny

Stump
Walker

NOT VOTING—20

Bishop
Brooks
Collins (GA)
DeFazio
Dornan
Gilchrest
Goodlatte

Goodling
Henry
Hoekstra
Johnson (GA)
Lehman
Livingston
Payne (NJ)

Rowland
Velazquez
Washington
Waxman
Whitten
Wilson

□ 1351

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. STUDDS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 1159, the bill just passed.

The SPEAKER pro tempore (Mr. McNULTY). Is there objection to the re-

quest of the gentleman from Massachusetts?

There was no objection.

PERSONAL EXPLANATION

Mr. GOODLING. Mr. Speaker, I regret that I was not present to vote on rollcall vote 201 to approve the journal. I was attending to a family member who was undergoing surgery.

I also regret that I was not present to vote on rollcall vote 202, on the "Passenger Vessel Safety Act." If I was present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. BISHOP. Mr. Speaker, during rollcall votes No. 201 & 202, I was on official business in Georgia regarding the Base Closure and Realignment Commission. Had I been present I would have voted "yea" on these two measures.

UNCLAIMED DEPOSITS AMENDMENTS ACT OF 1993

Mr. NEAL of North Carolina. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 890) to amend the Federal Deposit Insurance Act and the Federal Credit Union Act to improve the procedures for treating unclaimed insured deposits, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

SECTION 1. AMENDMENTS RELATING TO TREATMENT OF UNCLAIMED DEPOSITS AT INSURED BANKS AND SAVINGS ASSOCIATIONS.

Subsection (e) of section 12 of the Federal Deposit Insurance Act (12 U.S.C. 1822(e)) is amended to read as follows:

"(e) DISPOSITION OF UNCLAIMED DEPOSITS.—

"(1) NOTICES.—

"(A) FIRST NOTICE.—Within 30 days after the initiation of the payment of insured deposits under section 11(f), the Corporation shall provide written notice to all insured depositors that they must claim their deposit from the Corporation, or if the deposit has been transferred to another institution, from the transferee institution.

"(B) SECOND NOTICE.—A second notice containing this information shall be mailed by the Corporation to all insured depositors who have not responded to the first notice, 15 months after the Corporation initiates such payment of insured depositors.

"(C) ADDRESS.—The notices shall be mailed to the last known address of the depositor appearing on the records of the insured depository institution in default.

"(2) TRANSFER TO APPROPRIATE STATE.—If an insured depositor fails to make a claim for his, her, or its insured or transferred deposit within 18 months after the Corporation initiates the payment of insured deposits under section 11(f)—

"(A) any transferee institution shall refund the deposit to the Corporation, and all rights of the depositor against the transferee institution shall be barred; and

"(B) with the exception of United States deposits, the Corporation shall deliver the deposit to the custody of the appropriate State as unclaimed property, unless the appropriate State declines to accept custody. Upon delivery to the appropriate State, all rights of the depositor against the Corporation with respect to the deposit shall be barred and the Corporation shall be deemed to have made payment to the depositor for purposes of section 11(g)(1).

"(3) REFUSAL OF APPROPRIATE STATE TO ACCEPT CUSTODY.—If the appropriate State declines to accept custody of the deposit tendered pursuant to paragraph (2)(B), the deposit shall not be delivered to any State, and the insured depositor shall claim the deposit from the Corporation before the receivership is terminated, or all rights of the depositor with respect to such deposit shall be barred.

"(4) TREATMENT OF UNITED STATES DEPOSITS.—If the deposit is a United States deposit it shall be delivered to the Secretary of the Treasury for deposit in the general fund of the Treasury. Upon delivery to the Secretary of the Treasury, all rights of the depositor against the Corporation with respect to the deposit shall be barred and the Corporation shall be deemed to have made payment to the depositor for purposes of section 11(g)(1).

"(5) REVERSION.—If a depositor does not claim the deposit delivered to the custody of the appropriate State pursuant to paragraph (2)(B) within 10 years of the date of delivery, the deposit shall be immediately refunded to the Corporation and become its property. All rights of the depositor against the appropriate State with respect to such deposit shall be barred as of the date of the refund to the Corporation.

"(6) DEFINITIONS.—For purposes of this subsection—

"(A) the term 'transferee institution' means the insured depository institution in which the Corporation has made available a transferred deposit pursuant to section 11(f)(1);

"(B) the term 'appropriate State' means the State to which notice was mailed under paragraph (1)(C), except that if the notice was not mailed to an address that is within a State it shall mean the State in which the depository institution in default has its main office; and

"(C) the term 'United States deposit' means an insured or transferred deposit for which the deposit records of the depository institution in default disclose that title to the deposit is held by the United States, any department, agency, or instrumentality of the Federal Government, or any officer or employee thereof in such person's official capacity."

SEC. 2. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by section 1 of this Act shall only apply with respect to institutions for which the Corporation has initiated the payment of insured deposits under section 11(f) of the Federal Deposit Insurance Act after the date of enactment of this Act.

(b) SPECIAL RULE FOR RECEIVERSHIPS IN PROGRESS.—Section 12(e) of the Federal Deposit Insurance Act as in effect on the day before the date of enactment of this Act shall apply with respect to insured deposits in depository institutions for which the Corporation was first appointed receiver during the period between January 1, 1989 and the date of enactment of this Act, except that such section 12(e) shall not bar any claim made against the Corporation by an insured depositor for an insured or transferred deposit, so long as such claim is made prior to the termination of the receivership.

(c) INFORMATION TO STATES.—Within 120 days after the date of enactment of this Act, the Corporation shall provide, at the request of and for the sole use of any State, the name and last known address of any insured depositor (as shown on the records of the institution in de-

fault) eligible to make a claim against the Corporation solely due to the operation of subsection (b) of this section.

(d) DEFINITION.—For purposes of this section, the term "Corporation" means the Federal Deposit Insurance Corporation, the Resolution Trust Corporation, or the Federal Savings and Loan Insurance Corporation, as appropriate.

Amend the title so as to read: "An Act to amend the Federal Deposit Insurance Act to improve the procedures for treating unclaimed insured deposits, and for other purposes."

Mr. NEAL of North Carolina (during the reading). Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

Mr. MCCOLLUM. Mr. Speaker, reserving the right to object, I would not really like to object, but I reserve my right to object in order to allow the distinguished chairman of the Subcommittee on Financial Institution Supervision, Regulation, and Deposit Insurance to explain what he is about. I think it is important that we understand what this is all about, and I yield to the gentleman from North Carolina for that purpose.

Mr. NEAL of North Carolina. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, on March 2, the House passed H.R. 890, the Unclaimed Deposits Amendments Act of 1993 to protect the insured deposits of persons who may have inadvertently abandoned them.

Our colleague from Massachusetts, Mr. FRANK, worked hard on this issue. He was the moving force behind the legislation in both the previous and current Congresses. Without his efforts, the legislation would not have been passed.

On May 27, the Senate passed the legislation with an amendment. The amendment is largely technical in nature, and simply clarifies the language of the House bill. I have no objection to the Senate amendment, and know of no objections to it.

Currently depositors have 18 months in which to file claims for deposit insurance. H.R. 890 would protect depositors who fail to file claims by requiring the FDIC and RTC to offer the insured deposits to the States to accept and hold under State abandoned property law for a period of 10 years. The States would use their established procedures to try to find the owners of these deposits. Only after this period had expired would the unclaimed funds revert back to the FDIC or the RTC or its successor, with all further claims to these funds barred. This bill therefore allows depositors up to 10 years to make a claim on their insured deposits.

At hearings held in February by the Financial Institutions Subcommittee, which I chair, witnesses from the FDIC

and the RTC testified in favor of the legislation. Neither agency has any objection to the Senate amendment.

Our Federal deposit insurance pledge is there to protect our Nation's depositors. This bill assures that all insured depositors will fully protected.

Mr. Speaker, I urge the House to concur in the Senate amendment.

Mr. MCCOLLUM. Continuing my reservation of objection, Mr. Speaker, with the increase in bank and thrift closures in the last few years, a number of depositors have inadvertently surrendered their rights to their deposits, and that is what this bill is all about, as I understand from what the gentleman from North Carolina has explained. In most of these cases they did not receive notice or did not have an adequate amount of time to make their claims, and that is particularly true where long-term certificates of deposit were purchased.

It is my understanding, and if I am incorrect I would ask the gentleman to let me know, that H.R. 890, as modified by the Senate, gives depositors a reasonable time to make claims, and solicits the help of the States in locating depositors. Is that not correct?

Mr. NEAL of North Carolina. The gentleman is correct.

Mr. MCCOLLUM. I think it is a very simple bill. It is a very fair bill.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The SPEAKER pro tempore. Is there objection to the initial request of the gentleman from North Carolina?

There was no objection.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. NEAL of North Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 890 and the Senate amendments thereto.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PERSONAL EXPLANATION

Mr. STEARNS. Mr. Speaker, I would like to submit for the RECORD an explanation for my absence, yesterday, June 8, 1993.

As I was testifying before the Base Closure and Realignment Commission in Atlanta, GA, regarding the review of the Jacksonville Naval Aviation Depot which provides many jobs for my constituents, I was unable to be present for votes yesterday. If I were present, I would have voted "no."

A PRESCRIPTION FOR FOREST HEALTH

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Idaho [Mr. LAROCO] is recognized for 60 minutes.

Mr. LAROCO. Mr. Speaker, 1993 marks a watershed year for a major public policy shift in forest management. As in the past, watersheds are the result of widespread change in public attitudes, actions, as well as changes in natural conditions—and require responsiveness on the part of policymakers.

PAST WATERSHEDS IN FOREST POLICY

For example, a policy shift of the past occurred against the backdrop of widespread public perception that forests in the East and Midwest had been overcut and abandoned by private timber companies that had moved West. At that time, the Forest Reserve System was being managed by the Interior Department, which was, itself, suffering from a long history of scandal, including the Teapot Dome.

The father of professional forestry in the United States, Gifford Pinchot, was working in the Department of Agriculture. Pinchot shared the public's distrust of the Interior Department, and in 1905, convinced President Theodore Roosevelt and Congress that the forest reserves should be renamed "national forests" and moved from Interior to Agriculture where they could be properly managed under his bureau which was renamed the "Forest Service."

In more recent times, another shift in forest policy followed clearcutting on the Monongahela in West Virginia. Public outcry led to a lawsuit that correctly asserted clearcutting was illegal under the 1897 Organic Act of the Forest Service which authorized timber sales. The policy result—enactment of the National Forest Management Act in 1976.

One final example involved changing and conflicting use patterns on national forests after World War II which led to a big change in national forest policy.

With an expanding affluence during the 1950's and 1960's, came a paralleled increase in leisure time, which led to an explosion in outdoor recreation that has not abated.

Another changing use pattern occurring at that time, which was related to the baby boom and economic recovery, was an increased demand for wood to build houses. As a result, timber harvest on national forests tripled during the decade of the 1950's.

Three other related events included an attempt by the forest industry to obtain compensation for timber lands being flooded by Federal reservoirs. Most companies preferred to be compensated by selecting national forest lands rather than cash.

Also, ranchers were pushing for changes to the grazing system which

would allow them greater influence over allotment management. And, in 1955 came the first attempt at enactment of a wilderness bill.

As a result of competing uses vying for more control over management of national forest lands, the Forest Service had a real need for striking a balance. Congress gave them a tool to accomplish that in the Multiple Use Sustained Yield Act.

TODAY'S CHANGES

And now, in 1993, the stars seem to be realigning for yet another watershed change in forest management policy. And during the following few minutes, I hope to make the case for Congress and the administration to move ahead, with the involvement of all affected parties, to direct land management agencies on forest health and ecosystem management.

One phenomenon foreshadowing a policy change is that many forest systems are on the verge of collapse due to years of overeffective fire suppression and turn of the century logging practices. This pattern of historic use and management has been brought to a crisis by recent drought conditions.

FIRE

Before fire suppression and intensive forest management, fire was nature's tool to maintain a balance. Fire naturally thinned our forests and maintained an optimum number of trees per acre, all competing for limited quantities of water, nutrients, sunlight, and growing space.

But, those who settled the West concluded forest fires were a big threat to people and resources. The decision to suppress fires seemed the right thing to do. But the reduction of fire has had ramifications that reverberate throughout the forests today. Over time, without fire there was a steady change in the structure of our forests, species composition and the number of trees competing for limited resources.

Some of the gravest forest health problems in Idaho are occurring in ecosystems which historically contained mostly long-needled pines adapted to fires at short intervals. But these conditions have been altered by decades of fire suppression and management practices that selectively removed the commercially valuable pines.

These same harvest and fire suppression practices favored high reproduction and growth of true fir and Douglas-fir species that are particularly susceptible to drought and pests on dry sites. In the past, periodic low intensity wildfires kept these species in check while sparing the fire-adapted ponderosa pine and larch.

For example, in the mid-1800's, open stands dominated by ponderosa pine and larch covered 70 percent of the Blue Mountain forests of northeast Oregon. Today, they cover only 30 percent, while dense stands of true fir,

Douglas-fir, lodgepole pine, and spruce dominate 70 percent of these forests.

Now, pest problems have increased due to the many weakened trees. And as trees continue to succumb to these attacks, forest become virtual tinderboxes ready to explode into disastrous wildfires.

In central and southern Idaho, the Payette and Boise National Forests are experiencing catastrophic damage from insect and disease attack. Both forests are dying significantly faster than they are growing. The statistics are startling and telling.

On the Payette's timber land, average mortality is 407 board feet per acre, while growth is only 248 board feet. Mortality figures on the Boise are even worse. Since 1988, the forest has lost more than 400,000 trees on more than 1 million acres of affected forest.

While many scientists believe that low-intensity fires and prescribed burns should eventually become part of the management regime, the risk of using fire under current conditions is high. William Gast, who headed the Blue Mountain forest health study, told the Oregonian, "Because the fuel load is so high, a fire would burn so hot it could break down the structure of the soil and reduce soil productivity. That fact complicates letting nature take its course."

What are the dangers of high intensity wildfires?

With current fuel loads, wildfires are capable of setting the ecological clock back to zero. Even the most fire-resistant old-growth ponderosa pines, currently mixed in with ailing firs, are at risk, particularly if flames climb to the top of the trees and race through the crowns.

In areas where the ground is covered with large amounts of dead, dry fuel, fire can scorch the earth, destroy soil organic matter and even fire clays in the soil into lifeless ceramic bricks.

Under current conditions, fires pose a tremendous hazard to the many communities, homes, and people that have located in forested areas in recent years. On one windy day, alone, in 1991 the more than 90 wildfires destroyed 112 homes in the inland Northwest.

Insect-damaged riparian areas, which provide habitat for native fish and threatened salmon, carry enormous fuel loads and face the potential of extreme postwildfire erosion.

DROUGHT

And, according to a recent article in the Spokane Spokesman-Review, fire officials say that although many places in Idaho experienced a long winter and wet spring, this does not mean an end to the 6-year drought. The snow that buried the panhandle for nearly 3 months was great for skiing, but contained only half the typical moisture content. And the wet spring has given north Idaho a good crop of nice, green grass that will be good fuel as it dries in the summer.

SPOTTED OWL, ESA, AND ECOSYSTEM
MANAGEMENT

Another factor aligning with forest health concerns to precipitate a policy change is the evolution of the spotted owl debate and the listings of large numbers of fish and wildlife under the Endangered Species Act.

And, converging with the unraveling of forest systems of the West is the development of ecosystem management, which may be more a consequence of change than a cause. As multiple-use was to the 1960's, ecosystem management is being explored as a solution to today's natural resource management problems. Ecosystem restoration action is needed to reduce the risk of catastrophic wildfire, and to repair watersheds and restore the natural dynamics and resilience of forest systems.

I've heard many people say ecosystem management sounds great in theory, but what does it really mean? In a recent National Parks, Forests and Public Lands Subcommittee oversight hearing on rehabilitation, reforestation, and reinvestment on national forests of the Pacific Northwest, I took the opportunity to ask Forest Service Chief Dale Robertson for a definition of ecosystem management. He said, "Ecosystem management means sustainability of all uses and values of the forest, and we will manage these forests for healthy, productive, biologically diverse ecosystems over time."

He went on to explain:

We are going to get out of the plantation forestry business and try to maintain very much of the diversity that exists in a natural forest such as big trees and a diverse canopy. It means our people on the ground are making some different kinds of decisions so that this forest will look different than it has in the past. You will not see these big square clearcuts or plantation forestry.

The Natural Resources Committee continues to explore the parameters of ecosystem management. On May 16, I attended a workshop at the Black Butte Ranch south of Bozeman, MT. The workshop brought together scientists and members of the House Natural Resources Committee to explore informally the issues and challenges associated with ecosystem management in the northern Rockies.

There was a consensus among these scientists that land and water resources are currently managed in a fragmented manner, and that coordinated and comprehensive management is highly desirable. They also agreed that, because ecosystem protection necessarily involves management, it cannot be completely equated with wilderness, and that the human dimension—stable communities founded on sustainable resources—is a viable component.

Similar workshops and hearings will help the committee identify steps that Congress may wish to initiate to overcome the legal and institutional barriers to sound ecosystem management.

CLINTON ADMINISTRATION

And finally, I would like to emphasize the importance of the Clinton administration in establishing a critical mass for change. The American people finally have in place an administration with a strong desire to govern and to listen to science.

Furthermore, with an administration friendly to the leadership in Congress, there is reestablished a trust which has been absent for years. For example, if the Natural Resources Committee believes the administration should go first in addressing the spotted owl situation of the Northwest, Congress will wait for the administration to take the lead and accomplish what it can.

And, when it does come time for legislation, with this new spirit of cooperation, bills which move through Congress will actually be signed into law by the President.

NATIONAL FOREST HEALTH ACT

Last year, as many of you are aware, I introduced the National Forest Health Act of 1992 to bring focus to and begin a dialog on the issue of forest health. With the bipartisan cosponsorship of 30 Members of the House of Representatives I was able to steer that legislation through the full Agriculture Committee. And, this Congress, I continue to stir the pot by reintroducing that bill approved by the Agriculture Committee as H.R. 229.

My bill authorizes the Secretaries of Agriculture and Interior to carry out forest health improvement programs, in consultation with State and Federal fish, wildlife and cooperative forestry experts, in an effort to reduce further damage to forest resources and promote management of sustained, diverse, and healthy forest ecosystems.

These lands are to be recognized as a forest health emergency for a specific length of time, until conditions favorable to forest health are restored. And, at the request of the Governor of an affected State, adjacent State and private lands can be included in the emergency areas and become eligible for Federal assistance to address forest health problems.

STEWARDSHIP CONTRACTS

Another measure included in my bill is a provision for multiple-year contracts where the focus is on longterm outcomes, not outputs. The fiscal year 1992 and 1993 appropriations bills for the Forest Service directed the agency to test this new land stewardship contract approach to Federal timber sale contracting on several western national forests including the Idaho Panhandle. And the agency is experiencing success.

The appropriations bills directed that stewardship contracts be used to "help the private sector promote the Forest Service ecosystem management initiative * * * and to give contractors an incentive to become as concerned with sustaining ecosystems as with sustaining trees."

In terms of procedure, this system would allow the Forest Service to contract for an array of ecosystem management and ecological restoration services as part of a total land management package deal with a single contractor. The contractor would be compensated for these services by receiving credit toward the amount owed to the Forest Service for timber harvested as part of the contract activities. This approach is essentially the same as the purchaser credit system used for many years to compensate timber purchasers for road construction and maintenance associated with a timber sale.

On the panhandle, representatives of the Forest Service, timber industry and environmental community are closely involved in shaping a land stewardship project which is not too complicated, to increase the chance of success. Some of what is being considered is helicopter logging, logs being cut to length by a forwarder, some conventional logging, stream course rehabilitation, addressing road and water quality problems, and fencing for grazing.

In addition to the potential for enactment, the introduction of legislation generates spinoff benefits which bring focus and clarity to an issue, which has certainly been the case with my forest health bill.

REPORT RESULTS FROM HEARINGS

In response to my legislation, the Subcommittee on Forests, Family Farms and Energy of the Agriculture Committee held three hearings on forest health, one in Coeur d'Alene on Memorial Day of last year. The testimony received during those hearings should not, in my judgment, be lost or set aside because it continues to provide a foundation upon which to build.

For example, primarily in response to hearings on my legislation, a forest health report was released in May by the Chief of the Forest Service. The introduction to the report states, "During the hearings, members of Congress asked how the forests recently damaged by drought, pest epidemics, and wildfires will be restored and how similar damage will be prevented elsewhere."

The report further states:

The strategic goals and actions in this plan support the new emphasis on ecosystem management in the National Forest System. * * * will help strengthen Forest Service cooperative programs and provide for better coordination and assistance on forest health problems. * * * and will lead to better integration of forest health considerations into agency planning and decision making.

CHANGES IN GREEN SLIP PROGRAM

An additional benefit was that, throughout the hearing process, I learned about changes which need to be made to my bill—information that will be invaluable in improving any legislative package.

In Coeur d'Alene, small logging operators urged an increase in the number

of small sales on national forests and a return of the greenslip program.

In a followup letter to the hearing, Chief Dale Robertson stated:

Reductions in the Region's large sale program have also reduced the contract work available to many of the small, independent operators. Because of this, the operators have shown increasing interest in securing small sales, as well as salvaging dead, dying and blowdown timber. The result has been a demand for both small sales and salvage sales that the Ranger Districts cannot meet, and the need to advertise the sales that they can offer.

The Chief went on to provide valuable information which identified barriers the agency faced in regards to green slip sales including their limited application, inadequate resource protection, legal requirements of the agency to offer sales under competitive bid, and the high unit cost for preparation and administration of these sales in a time when there is increased emphasis on cost efficiency for the agency's timber sale program.

OBSTACLES FROM ENVIRONMENTAL COMMUNITY

Also, in response to questions raised at the Coeur d'Alene hearing, the Forest Service indicated that in fiscal year 1991, 28 percent, or 270 million board feet of the 980 million board feet of timber to be offered for sale in region 1 was affected by appeals. Of that, 26 percent, or 70 million board feet of the timber sale volume appealed were salvage sales.

But, from the environmental community, I heard concerns about any attempt to stymie public participation or short-cut environmental documentation.

So, over the months following the hearings, with the help of Neil Sampson and his capable staff at American Forests, I worked closely with environmental, timber, and labor leaders for a balanced and equitable process which would allow public participation, but within a time frame sensitive to the rapid deterioration of timber in the forest. With this attempt to resolve the forest health issue in the 102d Congress, it was the first time in many years that leaders of the Audubon Society, the Wilderness Society, the National Wildlife Federation, the Sierra Club, the American Forests and Paper Association, and the Brotherhood of Carpenters, met in the same room together. And, while we were not completely successful, I am hopeful that through symposia and other similar forums, we will develop a solid solution.

As nothing more than an observer, I believe the environmental community had become muscle-bound as a result of 12 years of the Reagan/Bush administration. Members of conservation groups had developed much distrust and were afraid to move forward with virtually any public policy.

They had spent 12 years trying to prevent the erosion of past environmental accomplishments which had

been written into law, as they watched the executive branch move with its own agenda, which clearly did not mesh with theirs.

It was clear that when a legislative initiative such as mine was introduced, the first reaction of the conservation community was to pull back rather than to move forward, as their political agenda had become more defensive rather than offensive. The groups were acting independently instead of with one voice and coordination among groups had decayed.

CONCLUSION

In conclusion, health problems on western forests are complex, have developed over decades, and many predict it will take decades to solve the problems. Both natural conditions and public opinion play a role in formation of new forest management policy, scientists will keep finding new ways to address these concerns, and public officials and decisionmakers should not be afraid to heed science and govern.

Inaction can be the worst enemy and is not a solution because options become reduced and human suffering and environmental damages continue to increase. As President Clinton stated at the Portland forest conference this spring, we cannot stop the process of change, but there is a need to manage that change so that both people and the land are given a fair chance. The job for Congress, the administration, and constituent groups is to recognize the convergence of forces in society and nature and work together for a solution.

□ 1420

PUBLIC LANDS MANAGEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wyoming [Mr. THOMAS] is recognized for 60 minutes.

Mr. THOMAS of Wyoming. Mr. Speaker, I rise today with some of my colleagues from the western public land States to talk a bit about some of the things that I think are unique to public land areas, management techniques that are unique to States that have from 50 to 85 percent of their State in Federal Government ownership. Most of those States, and there are 12 Western States west of the 100th meridian, have a special opportunity to use public lands in a multiple use way so that the resources there are used not only to the benefit of the country and all of us that own these public lands, but also for benefit of the States in which they are in and the economies.

Each of the States in this area have at least 25 percent of their lands in public ownership. The fact is that our States then become dependent on the activities, upon the decisions of land management managers for our future economy. Certainly no other State in

the country, the Eastern States, the Midwest States, could not put half their lands into single use recreational uses and expect to have a vibrant and growing economy in the future.

It is also true, I believe, that in order to fully use resources and use them wisely that multiple use is obviously the thing that we need to do. Farmers need irrigational water. Sawmill operators need logs, clearly. Miners have to explore and to develop. Recreationists need access for the kinds of things that they do.

In each of these uses there is a job and a tax base, and opportunities for people who live in small and medium-sized communities of the West.

Our States came into the Union in a different fashion than most of the others. They came in later, of course. My State of Wyoming came into the Union in the late 1890's. It came in much of a different way. The original 13 States, of course, had all their lands.

Texas came in with no public lands at all.

In the Midwestern States, the lands were deeded to the States.

In the West generally the lands were put up for homestead, and those that were not taken were left as residual lands and have subsequently become Federal lands to be managed by the Federal Government.

□ 1430

Mr. Speaker, let me show a chart of my State of Wyoming which is hard to see, but my colleagues can see Yellowstone Park and these areas, Teton Park and other kinds of Federal monuments and parks that were withdrawn for a single purpose, and that is an excellent thing to do. The green areas were set aside as reserved lands for forest reserves, a portion of which, a large portion of which, by the way, are in wilderness and are used basically for single purposes. This happens to be an Indian reservation which, of course, is also uniquely used. It is difficult to see the yellow portion, but those are Federal lands that are intermingled with private land. Right along the railroad, in order to develop the West, the Government gave every other section to the railroad in order to come through our States, and many are the same way. The alternate sections are private lands. This is basically the ownership pattern in many of the lands and our State, just alternating sections being private, BLM managed, and those others in Federal ownership. It makes it very difficult to manage those lands separately, almost impossible as a matter of fact.

I say to my colleagues, "If you were to segregate them, they would have to be fenced, and, frankly, the forage value of these lands would not be worth the fencing. So, you have to find some way to integrate both the Federal lands and the public lands in terms of management."

So, we looked to multiple use. We looked to grazing and oil and mining and timber and all those kinds of things, and some of my associates are here today to talk about some of those areas, and they are, of course, peculiar to different States.

Mr. Speaker, I yield to the gentleman from California [Mr. HERGER]. He is from northern California where timber and Federal forests are of prime importance.

Mr. HERGER. Mr. Speaker, I rise today during this special order for the purpose of speaking on the importance of the timber industry to the citizens of this great Nation. First of all, I would like to take this opportunity to thank my colleague from Wyoming, Mr. THOMAS, for organizing this special order on natural resource issues.

Mr. Speaker, the timber industry is vitally important to our Nation in a number of ways. Renewable wood products are used by every American in countless ways in their daily lives, and our domestic timber industry has provided this Nation with an affordable supply of wood products for generations. Most notably, it is the dream of virtually every American to someday be able to afford a home.

The timber industry also provides the economic livelihood for many families and whole communities throughout rural America. In many areas of the Nation, including my northern California district, logging has become more than just a job, but is in fact a unique way of life with its own storied traditions. Most importantly, the people who work in the timber industry care deeply about the forests in which they live.

In recent years, the timber industry and the multiple use concept of management employed in our forests have come under attack. Extreme preservationist groups spend over \$900 million a year to orchestrate a propaganda campaign which claims that the timber industry is about to cut down the last remaining trees in our national forests. Sometimes they claim that only 10 percent of the older trees remain, sometimes the figure they use is 5 percent—apparently they are never really sure. Whatever figure they use, nothing could be further from the truth.

My colleagues will be interested to know that there are more trees in America's forests today than there were 70 years ago. In California, depending on the specific national forest, anywhere from 75 to 90 percent of our national forests are completely off limits to timber harvesting. These forests are set aside in wilderness preserves and other nontimber management designations that ensure that they are protected for future generations. The remaining 10 to 25 percent of land that is available to timber management is managed for wildlife, fire protection, and other environmental values in ad-

dition to wood products production. Of course, forest lands which are harvested are required by law to be fully reforested.

To further elaborate on this point, it is significant to point out that in 1984, standing inventory of forests suitable for timber management in California was 148 billion board feet. In 1992, after harvesting 1.6 billion board feet annually, and after the fire sieges of 1987 and 1989, standing inventory of timber increased by 5 billion board feet. Moreover, most national forest throughout California project no significant reduction in old-growth forests over the next five decades under current management procedures.

Despite these facts which indicate that our forests are being managed responsibly, we have seen a drastic decline in timber production on Federal lands in recent years. This is having a devastating economic impact on the people of our rural, timber-dependent communities. In the past few years in California, 42 mills have closed and thousands of jobs have been sacrificed because the Federal Government has pursued a timber policy based on the extreme premise that our forests are disappearing. Just this weekend, I was in McCloud, a small timber-dependent community at the foot of beautiful Mt. Shasta in northern California. I talked personally with fourth and fifth generation loggers who cannot find work anywhere in the area. They are being forced to look for employment out of State, and therefore are being separated from families with school-aged children. This is a needless tragedy.

These policies affect more than just those who depend directly on the timber industry for their livelihood. Middle-class Americans in cities throughout the Nation are already being priced out of the home market. We have already seen lumber prices nearly double between October and March, causing an estimated \$4,600 increase in the price of an average size home. It has been estimated that an increase of this magnitude would reduce the number of households who could qualify for a mortgage on a median-priced home by about 2.8 million. With U.S. demand for wood and paper products expected to double by the year 2000, this situation will only get worse, thus impacting more and more Americans by dashing the dream of homeownership. If we are to avoid this scenario, we must develop a rational Federal timber policy that balances our need for renewable wood products with environmental concerns.

Mr. Speaker, we just had our fourth annual legislative woods tour in my district. This is an opportunity for legislators to spend a weekend in the scenic forests of northern California and get a first-hand look at on-the-ground, professional forest management. Over a dozen of our colleagues have attended this event over the past several years,

and have seen for themselves the real story of how our forests are being managed. I would like to invite each and every one of my colleagues in the House to take advantage of this opportunity in future years.

I look forward to continuing to work with the Clinton administration and my colleagues in the House to develop a balanced, multiple-use timber policy which sustains timber-dependent communities and provides affordable wood products to all Americans.

Mr. THOMAS of Wyoming. Mr. Speaker, I was in Wyoming last week and met with the Society of Professional Foresters, and there has been a great deal of concern, of course, about below-cost timber sales and that kind of business, but these fellows mentioned the fact that, in order to manage a stand of timber one has to have some kind of cutting program.

Does that square with the gentleman's timber growers in his area?

□ 1440

Mr. HERGER. It does square. As a matter of fact, the gentleman might be interested to know that of all the federal programs that we have, to my knowledge the timber program is the only Federal program that actually returns a profit to the coffers of the United States, and therefore limits the amount of taxes that are required.

Our area is one of the most productive timber producing districts in the Nation. We grow far more timber than we are able to harvest. As the gentleman mentioned, when we see these overprotective policies that are inflicted upon us, that lock up our forests—and as I mentioned earlier, right now between only 10 to 15 percent of our total forests are available, at least in California—what that does is drive the cost of producing timber up, for maintaining the roads, fighting the fires, and paying out to our local schools, which 25 percent goes to, and maintaining roads.

What is being done by the extremists in the environmental community, as the gentleman from Wyoming [Mr. THOMAS] is alluding to, is they are forcing even these productive forests that are turning a profit for the Federal Government to actually become low cost sales, and I believe that is one further tragedy.

Mr. THOMAS of Wyoming. We have talked, of course, about multiple use, and multiple use is what we seek to do, a balanced utilization in a reasonable way of the resources. Clearly recreation, clearly being able to commune with nature, is one of the uses as well.

Mr. Speaker, I would like to yield to my colleague from Utah [Mr. HANSEN], the ranking Republican on the Subcommittee on Public Parks and Public Lands.

Mr. HANSEN. Mr. Speaker, I appreciate my friend from Wyoming yielding to me.

Mr. Speaker, the people in America years ago decided that they should have something to designate as wilderness. They looked at the beautiful West that was still publicly owned, and Congress came up with a designation of the term "wilderness" in 1964.

Now, it was kind of a difficult thing to come up with, because they wanted to take an area that was different from all of the rest of America. This is not where the roads are, this is not where the people are, this is another area.

So for the first time they put a legal definition on the term "wilderness." They put it into three different agencies. One would be the Forest Service, one would be the Bureau of Land Management, and one would be the National Park System.

Out of that they determined that each one of those agencies would designate a plan, and they were given that assignment to do that in all of the States that have public lands.

So they looked at it and they said, "We have to determine within this area that we own what becomes wilderness that we should be working with."

Now, most people do not understand what is wilderness. In their youth they saw a lot of places that they went, and it said "the Jim Bridger Wilderness Area," or "The Marshall Wilderness Area," or some other wilderness area.

However, my friends, please keep in mind that now we have changed it and we have an absolute definite definition of wilderness.

I would like to read this to you, because as I have talked around America and on this Hill, I have asked a number of people, "What is wilderness?" And most people give an ambiguous answer. They do not really have that worked out.

Here is what it says in the law and this is what we live by in the United States. "A wilderness, in contrast with those areas where man and his work dominate every landscape, is hereby recognized as an area where the Earth and its community of life are untrammelled by man; where man himself is a visitor who does not remain. An area of wilderness is further defined to mean an area of undeveloped Federal land, retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions."

It also goes on to say there will be no roads in wilderness. It goes on to say that each one of these tracts of land will be at least 5,000 acres. And it talks about the certain areas that we look at as wilderness.

Now, if you want to be very candid about it, there is not too much in America that fits that definition. As a private pilot I enjoy flying over the places of the West. It is very, very difficult to fly over the States of Wyo-

oming, Nevada, Utah, Idaho, or Montana, without seeing two tracks. And if you go through the dicta of the wilderness bill as it fell out, you will find that one of the designations of a road is just two tracks. That is what constitutes a road.

So if you are really going to find wilderness, it is really hard to find 5,000 acres that does not have a cattle pond on it, does not have a fence on it, does not have a road on it, that there is not some definition that man was there.

Wilderness, as described by this Congress, they said, "You are the first man God put on this Earth and you walked in there and you saw this area that shows nothing, no sign of man." And that is what we are basically looking at.

Back to the three areas: one is Forest Service, one is BLM, and one is Park Service.

When I first came to this Congress in the election of 1980, I remember working for 4 years in Utah on a wilderness bill on the part of the Forest Service.

In 1984, I went to the White House with Senator Jake Garn and we in effect saw President Reagan sign this bill into law, which was a bill designating some 780,000 acres of wilderness in the State of Utah.

The single largest part of that is called the Uinta Mountains, which is the only mountain chain in America that runs from east to west. It is a beautiful, pristine area. Man has not been there. In fact, in the early thirties Congress said it was a primitive area. There is no sign of man, except a tin can or two that some camper happens to leave in there. There are just trails, and it is an absolutely gorgeous, beautiful place that most Americans have not seen.

That qualifies as the single biggest piece of wilderness there is in the lower 48. That qualifies as wilderness.

Now, who gets snookered in this process? As we sit there as westerners who are doing this today, we find a very big difference between the philosophy of our friends from the East, who want to come out West and say, "We want to enjoy this great wilderness area. It is ours just as much as it is yours."

Admittedly so. It is Federal ground. I think you should go back, however, and study your history and find out how you got your ground.

In the State of Oklahoma they lined them all off, somebody shot off a gun, and they all ran out and took the ground.

Now, I think that this article of the Constitution and other places make it very common and very common knowledge to most of us that the States should administer the ground themselves, and, very candidly, I do not know if the Federal Government does have a role in it.

However, because we did not do that in the West, now we have people from

the State of New York and the State of Massachusetts and other States telling us how to administer the ground that we are on.

Are we good stewards of the ground? Yes, we are good stewards of the ground. We take good care of it. We are very conscious of what it is, and we want to keep it primeval and pretty and beautiful as it was before.

The person that really gets snookered in this wilderness designation is the person like myself who has a family who likes to camp, fish, hunt, and go out into the wilderness area.

I will never forget the number of calls we got after passing the 1984 wilderness bill. The first thing that happened, people called up and they said, "Congressman, we can hardly wait to get into those wilderness areas with our recreational vehicles."

What they do not realize is they will never put a tire mark down in a wilderness area, because vehicles are not allowed in wilderness areas. The only way they are going to go in there is on their two feet or on a horse. There is no other way to go in there. Mechanical things are not allowed. Up until a year or so ago, when we passed the Americans With Disabilities Act, there was nothing that could go in.

If you are a deer hunter, you folks from the West who love to hunt deer, many people have devised this little thing that has a bicycle wheel on it and a couple of bars and a handle and a piece of leather or canvas in the middle, and when they shoot their deer they put it on and roll it out. That is a mechanized device, and technically they cannot use that.

If you happen to be one of those youngsters who unfortunately was hurt in Vietnam or Korea or somewhere and you are stuck in a wheelchair, technically before the Americans With Disabilities Act you could not go into a wilderness area. After the ADA Act, a group of us—and I sponsored that amendment—said it was all right for a wheelchair to go into a wilderness area.

I found it very interesting, because one day I was in Ogden, UT, and a young man came up to me in a wheelchair. And he said, "Congressman HANSEN, why don't I have the opportunity to go into the North Slope of the Uinta Mountains?" He said, "I used to go in with my uncles and my dad and my brothers," and that was before he went to Vietnam and lost his legs.

Here this young man can play basketball, he can play tennis, he road races, he goes all over America in a wheelchair, and he said, "I am not stuck in this seat. I can do it, just give me the opportunity."

But I do not think Americans realize that we had prohibited this person in a wheelchair from going into a wilderness area, just like we prohibit the man who is in a truck, just like we prohibit the veteran who wants to go in to

take care of something. We prohibit all these people from going in.

So, America, when you think that you can go into a wilderness area in your new four-wheel drive, forget it.

□ 1450

If you think you can take any mechanized vehicle in, forget it. And if you think you are big enough and strong enough to pack a 270 and 40 pounds on your back and walk 14 miles in and shoot a mule deer or something or an elk or a moose and bring it out, you might as well forget that, too, because there is no way you are going to get in.

What I am saying, in effect, is, there is very little ground in the West that really qualifies as wilderness. And many of us in the West respectfully say to our colleagues from the East, would you please follow your own law and do not give us these kind of wilderness bills that go right over the top of class C roads, class B roads, go right over the top of the cattle ponds, roads and things that do not fit the definition of wilderness. We would appreciate it very much if you would take that into consideration.

Now, as we start on the bills that are coming in the 103d session of Congress, we see many pieces of legislation that will come into the West and restructure the way we do business. Let me just ask some folks here, what is wrong, if we do it carefully, to cut down a few trees in the West and keep some of the lumber industry alive? The Forest Service and the BLM carefully go out, and they look at each tree. They understand what can be cut, which adds to calving production of elks, which adds to a lot of wildlife, and go in and cut it.

However, many of the extreme groups appeal it every time. And right now in the little State of Utah, we have lost the Kaibab Industries. We have lost the Escalante Sawmills. And in effect, we might as well turn off the lights in southern Utah. What is wrong with a few white-faced cows being able to graze, if it is done very carefully, to let them have the opportunity to control the grass?

The best range management people tell us this. Grazing on the ground is a tool to control it. If you do not do that, when the hot months of August and September come along, what do you have? You have a burn that will make Yellowstone look like nothing.

So we use that as a tool to keep down the grasses in that particular area. I can see nothing wrong with that either.

So, my colleagues, I appreciate the opportunity to be here and take a few minutes and talk to you about the designation of wilderness, and I would hope that some of our friends from the East who were given their States would take something into consideration for those of us who have to have grazing,

who have to get into lumber, who have to get into mining and have to live on the public grounds. We could really go back to the Constitution and, in effect, give us back the property, much like the States in the East had it. I am sure we could administer it better than the Federal Government does.

Mr. THOMAS of Wyoming. Mr. Speaker, I thank the gentleman.

We are talking about multiple use. We are talking about using the resources for a number of uses, such as wilderness, such as grazing, such as oil and gas, water use and development, mining, and, of course, sportsmen and wildlife and hunters.

So this is what we are seeking to do, is to create a situation where there is dependability on multiple use so that communities in the West can be built and tax bases and jobs can be built around these public lands.

One very important area is that of mining. Mining, of course, is notorious for being in the West and being in the mountains, and the hardrock mining of various kinds is still a very prevalent and important activity in many of the Western States.

Mr. Speaker, I now yield to my associate, the gentlewoman from Nevada [Mrs. VUCANOVICH], who is the ranking Republican on the Subcommittee on Energy and Mineral Resources.

Mrs. VUCANOVICH. Mr. Speaker, I thank my colleague from Wyoming for yielding to me so that I may make some brief remarks about public lands mining of the so-called hardrock minerals. Mr. Speaker, by this I mean those mineral commodities for which the right to explore the public domain and mine one's discoveries is granted under the 1872 mining law.

Now that sounds like a long time for a law to exist, but like the Constitution it has seen many amendments over the years and plenty of case law has been handed down defining the administration of the act in a modern context. Nevertheless, there are many who seek to repeal this law and substitute a system whereby the Federal land managing agency could simply say "No" to proposals to explore, develop or extract hardrock minerals no matter how environmentally sound the remediation plan, or how large a bond would be held to insure reclamation.

Mr. Speaker, the rural communities in Nevada and elsewhere in the West rely upon access to the resources of the public lands in order to survive, and occasionally prosper. Mining is no different than ranching, timbering, oil and gas drilling, and commercial recreational uses such as river running or guided hunting. These industries need certainty regarding the rules for use of the resource or the investment necessary to carry on the trade will simply not be made.

Some advocates for reform of the mining law would be pleased if pros-

pectors and miners left the public lands altogether. Indeed, there is already an exodus of exploration and development capital to Latin American nations because many of those countries have reformed their laws to lure mining ventures not shun them. For example, Mexico revised its laws to delete the imposition of a 7-percent gross royalty on hardrock mineral production to acknowledge its desire for foreign investment in its mineral economy. At the same time, Mexico raised the rental fees due from mining concessions to spur development of the already leased lands.

Mr. Speaker, our country should do the same. We have taken the first step by requiring the payment of annual fees by holders of unpatented mining claims on the public lands in lieu of the obligation to perform assessment work on those claims. I do support relief for small businessmen and women in this regard, but corporate entities will all have to pay annually to keep their claims for the following year.

However, with respect to imposing a royalty on hardrock mining, the administration is going the opposite direction from the rest of the world. President Clinton first sought a 12.5-percent gross revenues royalty, then backed off from putting it in the budget package. Nevertheless, the administration appears to remain committed to a gross royalty—which is, of course, a tax levied irrespective of profitability. Secretary Babbitt has testified that a net-based royalty could lead to temptations to cook the books in attempts to cheat the Treasury. Mr. Speaker, we have a bureaucracy already in place to stop such nonsense. It's called the IRS.

But let us examine just how well off miners are as a group. Could they pay an additional 8 or 12.5 percent of their revenues right off the top? I have here a graph depicting the return on shareholders, equity as reported by Business Week magazine last March. As we have heard from the White House, the most profitable industry sector is health care, which is far out ahead of telecommunications in second place for 1992. The metals and mining sector as a whole—no pun intended—bring up the rear. Shareholders in this industry, as well as for autos, saw a negative return on their invested dollars.

Now, to be fair, I want to point out that this group has both public and private land components. But, I want to highlight the precious metals subsector, which is concentrated in the west and have a heavy involvement in the public lands. Mr. Speaker, the mining game for the last decade has been in gold prospecting and mining and that's what would be impacted by radical reform of the 1872 Act. This subsector eked out a return on equity of just 2.9 percent last year. An investor in pharmaceuticals would have made eight times more money than a miner!

To be sure, returns vary from year to year and indeed, 1992 was a bad year for metals prices, but not as bad as 1991 when the precious metals sector was in the red. My point is the mining business must live with volatile prices for its products. To levy a new tax on the public lands segment of that industry, based not on ability to pay, but rather on gross revenues, is to chase off any further investment in hardrock mining of the public lands.

However, I want to alert my colleagues that I have accepted the need for a net-based royalty on hardrock miners. We have such a net proceeds of mines tax in Nevada which has worked well since 1865. In times of high metals prices the Treasury reaps the benefits of additional profitability of our mines, but when prices are squeezing margins the tax doesn't cause the mines to shut down. I think its the only way to go. If the gross royalty advocates win on this issue we will see few, if any, lower-graded deposits mined because of the regressive nature of this tax. Instead, miners will be thrown out of work, from high-paying jobs generally including health benefits, into low-paying service sector jobs—if they can find them—or for the lucky ones, employment in Mexico, Chile, Peru, or the Pacific rim.

But, that's not the half of it. As important as the royalty question is in the reform debate, it is merely the easiest to quantify. In my view, the real battle shaping up for a future conference with the other body is over the so-called right to mine. As I said a few minutes ago, any industry needs to know what the rules are going to be before investment is made, yet the radical reformers insist the current law give miners special protection and entitlements that shortchange other public lands users.

It's a myth, Mr. Chairman. Public lands miners must follow all the Federal and State environmental laws or the myriad permits necessary to mine will be denied or withdrawn. However, when and if a prospective miner can demonstrate compliance with these existing laws then, yes, the land managers have no discretion to deny the operations approval. This really bothers the folks out to protect any and all viewsheds from scenic degradation, but it is absolutely necessary if we expect reasonable people to invest their hard-earned cash in a mining venture.

Besides, Mr. Speaker, there is already a well-used process for setting aside public lands deemed to be so valuable for scenic or other purposes that mining should not be allowed. Its called withdrawal legislation and we use it nearly every week in this Chamber. The National Parks, Public Lands and Forests Subcommittee has a seemingly endless parade of bills on the suspension calendar, and even a few that go get a rule for debate and amendment—imagine that.

My colleagues, I have sponsored or cosponsored a few of those withdrawal bills myself because I think its how we should do business. Article IV, section 3, clause 2 of the Constitution states: "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States." I, for one, believe it would be ill-advised to hand such authority to the unelected local forest ranger or BLM manager to decide who can mine and who can not on the basis of mere whim or prodding from special interest groups.

No, Mr. Speaker, we need to tinker with the working of the mining law, but we must not repeal today's environmentally conditioned right to mine unless our true goal is to send mining investment—and the jobs that go with it—to a safe haven overseas.

Mr. Speaker, I include for the RECORD the chart to which I referred.

Industry profitability comparisons—major U.S. industries, 1992

	Percent return on equity
Health care	23.4
Telecommunications	15
Service industries	14.7
Leisure industries	14.1
Banks	12.6
Utilities	10.7
Weighted average	10
Manufacturing	9.8
Chemicals	6.4
U.S. precious metals ¹	2.9
Automotive	-3.3
Metals and mining	-4.8

¹ Data provided by Nevada Mining Association.

□ 1500

I want to thank the gentleman from Wyoming [Mr. THOMAS] for yielding to me.

Mr. THOMAS of Wyoming. Mr. Speaker, I thank the gentlewoman from Nevada. Certainly there are a number of needs and a number of uses that come from public lands that are national uses, that do not simply lie to those who are most adjacent to the lands. One of them is the mines and products of the mines. Another, of course, is oil and petroleum.

One of the difficulties we have now with our balance of trade is the import of oil. Public lands fall in this category, again, of having access for exploration, being able to use these lands for that multiple use as well.

I yield to my associate, the gentleman from New Mexico [Mr. SKEEN], to talk a little bit about the role of oil and gas on public lands.

Mr. SKEEN. Mr. Speaker, I appreciate the efforts made by the gentleman from Wyoming [Mr. THOMAS], a member of the Committee on Natural Resources, in securing this time to address the issue of multiple use on public lands. As a Member from a district which has a substantial amount of public land, I have continually tried to

present the full and true story to eastern Members about the unique situation of public lands States. Whether it concerns oil and gas production, grazing, mining, or increasing the number of acres for wilderness and Park Service lands, these issues will always be very controversial in Western States.

It seems that we repeat this drill every year, where Members from Western States must fight for the right to express the importance of providing fair and equitable solutions to these issues. This is especially difficult in the House of Representatives, whose Members come predominately from urban areas.

In addition to the grazing fee increase, mining law reform, and the controversy surrounding the spotted owl and the timber industry, other legislation affecting public lands has been introduced which would drastically affect my district. For example, in the 103d Congress, legislation is pending which would expand the National Park Service land, add buffer zones, and take private property from my constituents. Each of these bills is promoting a knockdown, drag out fight between my constituents and the Federal land management agencies.

Legislation is pending which would prevent oil and gas exploration next to Lechuguilla Cave, a world-renowned natural resource located near Carlsbad National Park. Over 60 miles of cave have been discovered so far, and yet this is estimated to be only 5 percent of its total mass. The farther this cave extends, the greater the potential for conflict due to the dangers associated with the infiltration of hydrocarbon gases, posing a safety problem to researchers and visitors.

Rest assured that I, too, want to protect this natural resource, as well as the researchers and visitors in the caves. However, I do want to make sure that oil producers and their constitutional rights are protected. If an active lease is affected, we must provide the fair market value compensation for the taking of that lease. I believe this should include the value at which the potential reserve is valued. Oil and gas producers spend millions of dollars developing the appropriate infrastructure, and many years of expertise are required before leases are acquired from the Federal Government.

Also pending in Congress is a proposal to link Carlsbad National Monument with the Guadalupe Park in Texas. The land is currently designated as wilderness study area and is administered by the BLM and Forest Service, which continues to apply the multiple-use philosophy. This new legislation would take the land out of multiple-use and give it to the National Park Service. If this were to happen, public access, hunting, off-road vehicle use, grazing, energy development, and a number of other interests would be severely restricted.

In both the Lechuguilla Cave Protection Act and the Carlsbad expansion bill, the National Park Service would substantially increase the cost of management while limiting production and the circulation of tax dollars in the local communities for roads and school systems. If the Federal Government continues to make it tougher for extractive industries to make a living, the land will go unleased. This in turn is bad for the Federal Government, which needs these revenues to run many of its agencies' land management programs.

It is important that we make sure that the Federal land management agencies provide stability and continuity for these industries and the local communities which depend on Federal lands. The fees derived from public lands are an integral part of the revenues needed to operate our school systems in rural areas. I believe that Members from Western States, Republican or Democrat, must work harder and harder to make the Clinton administration, our committee chairmen, and our city cousins understand that the multiple-use philosophy works, and a large percentage of the fees derived from these uses is returned back to local communities.

Again, I commend the gentleman from Wyoming [Mr. THOMAS] for giving this issue the heightened awareness that it deserves. I look forward to working with him and the chairman of the Natural Resources Committee to protect the most endangered species of all: The public lands States.

Mr. THOMAS of Wyoming. Mr. Speaker, I thank the gentleman for his comments. We have been talking about public lands and multiple use. We have talked about the use of oil and oil and gas resources. We have talked about wilderness, setting it aside for particular uses there. We have talked about timber, the harvesting of that resource, that renewable resource that sustains itself. We have talked about mining.

Let me just say that in terms of mining, that there are very strict reclamation laws, both on the State and national level, to put these lands back as they were. I want to talk just a second about another one that I think is very important, and that, of course, is wildlife hunting and fishing.

One of the peculiarities of public lands and the land patterns of ownership in the West is that they are intermingled with private lands and public lands. For the most part, the private lands were taken up in homestead, so naturally the people who took them up homesteaded along the streams, homesteaded in the lower valleys, homesteaded where the most fertile land was. Then they used this as base land, now lease the surrounding public lands, which for the most part are much less productive.

My point is that in order to sustain wildlife, we have to use the private lands and the private water and the private winter feed as well as the summer feed in order to make this project work, and it has indeed worked.

Very briefly, let me show the Members the wildlife increases on public lands, taken from the public land statistics. In 1966, in the antelope category, we had 139,000, roughly; in 1990, 295,000, an increase of 112 percent of antelope on public and private lands; bighorn sheep, even more, a 435-percent increase in bighorn sheep; deer, a 30-percent increase from 1.1 to 1.4 million; elk, a 782-percent increase, from 18,000 to 142,000; and moose, 475 percent.

Therefore, it is compatible and indeed necessary to use the private lands in conjunction with the public lands for livestock to feed in the summer, for wildlife to feed in the winter.

One of the other vital elements, these lands are all very low rainfall lands. These are droughty lands, and water is an essential element not only to human activities but, of course, if anything is going to be green you have to spread some water on it.

Mr. Speaker, I yield to my colleague, the gentleman from California [Mr. DOOLITTLE] to talk a little bit about water and water development on public lands.

□ 1510

Mr. DOOLITTLE. I thank the gentleman for holding what I think is a very important special order on the use of our public lands and the issue of water development. I am sorry I was not here to hear the entire special order. I heard the gentleman from New Mexico [Mr. SKEEN] talking about the concept of multiple use and multiple use is an important concept that has served the public interest extremely well and is now under attack. And it is not under attack overtly, shall we say, but it is very much under attack by efforts to further clamp down on and restrict the kinds of activities that can occur on the public lands.

I would like to just briefly mention that there is a movement to liberate the public lands from cattle grazing. They had the phrase, "cattle free by '93," and I guess they will have to come up with a new one for 1994 and 1995. But I have no doubt but what that effort will continue to be waged.

There have been efforts to try and restrict public lands from mining activities. We know very well the efforts in the Pacific Northwest with the northern spotted owl. I call that a phony issue, and I will say it here again on the floor of the House. The spotted owl is really not the issue. It is simply a vehicle in order to eliminate the logging from the public lands, and the thinkers and the writers in this movement to advance the use of the spotted owl as a tool to stop logging. They ac-

tually refer to it as a surrogate species meaning that it is a surrogate for actually the real intent which is to eliminate logging.

So we have all of these efforts going on, and then there is an effort against agriculture, and that is a two-pronged effort. One is to heighten public fears concerning food safety. And we have seen various attempts at that with alar and the alar scare in California a few years ago, and we will continue to see those efforts waged in terms of the use of chemicals, pesticides and herbicides and so forth. And when those cannot succeed, there will be the second prong, and that is to begin to restrict the availability of water. And we see this being carried out.

It was carried out here in the Congress, agreed to by the President last year where we had a water project bill that was passed that in California may have helped other States, other colleagues that are generally supportive and right-thinking on issues. But in this case, they joined together to produce I think a very sad result in the State of California where we have a longstanding water project.

I am sure many are aware that California has sort of unusual if not unique topography, and we have massive amounts of water in one end of the State and the bulk of the population in the other end of the State. Even so, the process of engineering projects and so forth over a number of years has made available this vast supply of water in the north to points south. And the Central Valley project is one of those projects developed really to enable agriculture to obtain the water that it needed and, of course, the water that is impounded by the dams is available for us. Otherwise, it simply flows out to the sea.

The Central Valley project has a yield of about 7 million acre-feet of water a year. We just passed last year a bill that took about 1½ million acre-feet of that 7 million and directed that it be used for nonagricultural purposes, basically to be flushed through the delta, which then leads to the San Francisco Bay and the convergence of the San Joaquin and the Sacramento Rivers, two of the State's major rivers. I mention this because California has soared tremendously in population. I think we had about a 25-percent population increase in the last years, and we are projected in the region of the State I represent in northern California, the Sacramento area, to have about a 33-percent population increase, about a one-third increase in our region.

We actually have, oddly enough, a federally authorized project. Construction was commenced in the 1960's, and we have 300 million dollars' worth of footing work that has been performed there. Yet we cannot, have not been

able to build on that to this point because we are caught up in this controversy of whether we build more dams. The issue seems to be portrayed that the construction of a dam is somehow antithetical or contrary to the environmental interests, and yet in this very case the construction of that particular dam, and I would submit in many cases I would believe, at least in this one, we would enhance all of the environmental uses in the region. This dam would ensure that there is enough water flow in the lower American River Parkway, a unique recreational resource in the State, a river flowing through the urban areas which is heavily utilized by rafters in the lower American River and by those walking alongside it to ensure the natural beauty. So fish are being killed right now, or they were for the 6-year drought that we had when the water levels dropped so low and the water became too warm for the fish and they died as a result. And any time when we have less than the normal supply of water, they will continue to die.

The reservoir at Folsom Lake was the most heavily utilized federally owned, State-managed recreation area in the State until the drought and the lake level dropped. And our county in San Joaquin County is heavily dependent on groundwater. They were induced by the Federal Government not to develop this additional source of water, but to defer that, and to become part of the Auburn Dam project. So the result has been that we have steadily been overpumping the groundwater, in many cases permanently damaging the aquifer because we do not have enough surface water.

So here is an example of where water development would actually enhance all of these environmental uses from fisheries to maintenance of the flows in the lower American, to recreation on the lower American and at the Folsom Lake, and of course, one of the most important environmental considerations in terms of quality of life for people is having an adequate supply of drinking water and water available for domestic and municipal uses, as this particular dam would surely do.

So I for one join in this special order just to add my belief that we have got to put people first. I think that was one of President Clinton's campaign themes, putting people first. We have to be good stewards of that which God has given us, including the land, and the water, and the air, and the resources, but we have to recognize that we need an intelligent, balanced, multiple-use approach which recognizes the priority of human beings over other concerns, while respecting those other concerns as we develop our policies so as not to damage or destroy them.

In the case of this particular dam, the water development actually fur-

thers every interest, environmental as well as nonenvironmental, and it is my belief that we are going to have to develop more water in the West, which is a naturally arid region, if we are to continue our progress. And I am not asking, by the way, nor am I advocating or even indicating I would support the idea that somehow we do this at Federal taxpayer expense.

□ 1520

I think the Reagan administration was right to suggest that these are areas of concern that are appropriate for State and local action, but obviously where the Federal Government has so much land and where the policies come in, it has to be a willing partner where we develop these resources, I think it is very important for the Nation, as we move ahead in these areas.

I thank the gentleman from Wyoming for the opportunity to discuss some of these issues.

Mr. THOMAS of Wyoming. Mr. Speaker, I thank the gentleman for pointing out a particularly important area.

We do live in a dry area. We have, I guess, in Wyoming about 14 inches of annual precipitation. Someone there said that when the Lord had it rain 40 days and 40 nights, we got an inch-and-a-half.

So you have to have some kind of multiple-use program. We talked about that.

Let me comment on one area, and that is grazing. Obviously grazing is a major interest and concern in the West. I have already talked about the land patterns where you have to put together the private and the Federal lands in order to have units that work out very well.

Let me just make a couple of points about it. One is that we hear a lot about deterioration of the range. In my view, there is very little connection between the rate paid on grazing fees and the condition of the range. Those two things are separate issues, and you can argue about them separately.

But you manage the range on the one hand, and you charge for it on the other.

The other difficult part, you know, it blends its way all the way through this that we have been talking about, that it is difficult for people in the East to have quite a different thing. They have lots of water. They have no public lands to really understand the differences.

One of them is the difference in the value of forage in an acre of land in Wyoming and one that you might lease in Maryland. It is not unusual in some of those ranges to have 30 acres per cow, per calf unit, because it is not productive land. It takes a long-legged cow to be able to keep on the move to get enough to eat sometimes.

So these are the kinds of things we have to deal with. And, of course, in recent years when every year we go through this annual ritual of trying to decide what the price ought to be and the certainty goes away, it is very difficult to keep available the value of the base land.

So I want to thank my colleagues for the contributions they have made in the various areas of multiple use. I think it is a terribly important issue that we need to come to grips with, and we do it every year.

We have tried to make the point that decisions made about our Federal land resources go far beyond the boundaries of national parks and forests, monuments and refuges. They affect tax base, they affect schools, they affect jobs, they affect small communities and towns and businesses and banks, and it is important to manage these lands for their resources, but also for the multiple-use kind of returning renewable resources that are there.

Mr. Speaker, I appreciate the time and the opportunity.

BUDGET AND APPROPRIATIONS REDUCTION PROPOSALS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. TAYLOR] is recognized for 60 minutes.

Mr. TAYLOR of North Carolina. Mr. Speaker, today a number of us would like to talk about a very relevant subject. Most of the people in our audience may or may not know that the \$1.5 trillion budget is put together by 13 budget bills, 13 bills that go through 13 appropriations subcommittees and come forth then in this body at the end as one full appropriations bill.

We are beginning that process now, and tomorrow the first of those committees will be reporting the legislative branch, the branch that oversees Congress, almost \$2 billion of cost. I serve on that subcommittee and on the Committee on Appropriations and would like to tell briefly what we are trying to do.

We have offered up through the process a recommendation for cuts of up to 25 percent. Now, the cuts will be surgical cuts, not across-the-board cuts. They will be cuts where we have tried to think through what we are doing with those cuts and how it impacts this body.

We all know that it is imperative that cuts be made. I have sat in this House, now my second term, and I have watched while major corporations have reduced their employment and reduced jobs in my district and all over this country because they have had to cut costs, but government has not cut.

I have looked at small business that has had to take steps to cut their employees, to cut expenses because of the onerous numbers of regulations and additional costs they are having to face

while government has cut almost none at all. I have watched throughout small communities local governments having to struggle with cuts while they are being forced to accept more and more mandates from the Federal Government and pick up the costs from those mandates.

The President ran a year ago on the basis of change, and many people interpreted that statement of change as being one where we would now come and ask major government, the Federal Government, the Federal bureaucracy, to start contracting, and for government to make changes and make cuts. That has not been the case so far. The packages that have come before us, the so-called jobs bill, presented \$16 billion of additional spending to this body with no revenue covering it.

The Senate wisely took out over \$12 billion of those spending increases. The tax package that came through offered some cuts, but it was primarily a tax-increase bill, and even during the talks of compromise in the Senate now on that legislation, the tax increases are still going to be four or five to one, and the cuts will still be put toward the end of the President's term, and we know what that means. They rarely ever happen.

So we must today make change, make time for that change, and address these budget bills one by one as they come before us in the next 6 weeks.

We are starting with the legislative-branch subcommittee. It is important for us to start there, not because it has the most money, not because it will make the most impact on the deficit, but, ladies and gentlemen, it sets the standard for the other areas of government, sets the standard because the legislative branch will be watched. If we make significant cuts, if we look toward reforming government and cutting our budget, then we will set the standard for the other 12 subcommittees and the other larger branches of government that will, indeed, give us the billions of dollars of savings that are going to be necessary.

We are recommending a 25-percent cut. It is a sizable cut, certainly, but it is not one without background.

Several people will speak today and will address different segments of that cut.

But what we have tried to do and what we have proposed to the subcommittee was that we need to really change in this Government. We need to look forward. We have numerous duplicative agencies, branches, committees, organizations. We have, for instance, if one wants information in taxation and economic matters, one can go to the CRS that has 875 employees, one can go to the Congressional Budget Office that has hundreds of employees, one can go to the Government Accounting Office and ask for a study that has thousands of employees, one can go to the Joint

Economic Committee and ask for a study, one can go to the staff on the Committee on the Budget and ask for that, one can go to the staff on the Committee on Ways and Means and ask for that one, one can go to the Senate Finance Committee for their staff and ask for that, one can go to the Committee on the Budget in the Senate and ask for that, one can go to the Office of Management and Budget on the administrative side with its thousands of employees and get responses in each of those areas.

Now, while there are people with expertise in all of these branches, they duplicate, and they cost hundreds of millions of dollars of the taxpayers' money. And, ladies and gentlemen, we cannot afford that duplication today when we are asking millions of people across this country to sacrifice.

And so we are recommending a consolidation of those forces. We are making a recommendation of a consolidation of the legal staff, the plethora of attorneys that represent committees and subcommittees and various branches of the Government. We are asking that we look toward a pool in that area that will give us adequate legal advice but not the numbers and the costs that we now have.

□ 1530

In many ways we are trying to put together cuts. We will be talking about some of those as they affect the legislative branch appropriations which will yield us a 25-percent cut that will then give us a chance to go to all of the other 12 subcommittees and say, "This branch has sacrificed. It is now time for you to sacrifice also." Then I think we can gain the budget confidence to make real budget reductions in this House of Representatives and in this Congress.

That is essential, I think, because we only have a few years to attack this problem and to bring about those cuts.

I yield at this time, Mr. Speaker, to an outstanding Member of this body who has been leading in the area of cuts and who has just been before the Committee on Rules to get the rule and to plead for a rule for the debate tomorrow that will allow the amendment to place that 25-percent cut on the floor.

Mr. COX. Mr. Speaker, I thank the gentleman very much and commend my colleague for the leadership he has shown on this important subcommittee.

Mr. Speaker, it is possible for us to reduce Government spending. And certainly the gentleman has suggested the place that we ought to begin is cutting in the spending on Congress itself.

All of us receive a great deal of mail, telegrams, phone calls from our constituents. We go home and meet with them and ask what their concerns are and what they would like us to accomplish in Washington.

I dare say not a single Democrat nor a single Republican Representative in the House has ever been lobbied, caajoled, urged by any one of his constituents to spend more money on himself or herself, to spend more money on Congress and congressional staff. That just has not happened.

There is no lobby for this in America except Members of Congress themselves. Not every Member is a supporter or sponsor of increased and ever-growing congressional spending by itself, and yet because of inattention, because of lack of aggressiveness in trying to cut, we have been on autopilot. This spending has grown and grown and grown over the years.

Back when F.D.R. and Harry Truman won World War II, Congress declared war and won the victory and Harry Truman moved on to the Korean war, the number of committee employees in this Congress was 193. One hundred and ninety-three people got the job done back in 1947.

Since that time, committee staff has grown at a rate six times that of inflation. The legislative branch appropriations increased by 3,540 percent during that period.

At the same time, inflation was 569 percent; we had a 3,540-percent increase in the amount that Congress spends on itself.

There is no excuse for the fact that today, to take care of 535 Members of Congress, 435 in the House and another 100 in the Senate, we have over 31,000 staff employees. There is no excuse for the fact that it costs roughly \$2.4 billion to run the Congress of the United States, nearly \$2 billion to run the House itself.

There is just no excuse.

A big part of our congressional budget is devoted not only to committee staff but also to congressional agencies. That is, rivals to the executive branch departments, which under our system of separation of powers are set up to carry out the dictates of law; congressional agencies created to rival these departments, such as the Congressional Budget Office, such as the General Accounting Office.

Let us take a look at GAO's budget. In 1980 this one part of congressional staff cost \$204 million. By 1985 that had grown to \$299 million; in 1988 it was \$330 million; in 1989, \$346 million.

The average increase between 1980 and 1990 was 8 percent per year.

The next year, in 1991, we had a 14-percent increase. So that the total budget was \$409 million. Nineteen ninety-two, another 8-percent increase, \$443 million, virtually all of this for staff. In 1993 our budget was \$435 million, and we are going to hang right in around that number for fiscal year 1994 if things are not fixed, if things are not changed.

So part of our amendment would reduce the budget for this one part of our

congressional staff to one-third of a billion dollars per year. Now I am quite confident that this agency, which was begun in 1929 to look after, ironically, government waste, could do a fine job of it for one-third of a billion dollars per year.

That happens to be roughly the amount that Price Waterhouse spends on all of their outside audits for all of their private clients in a year.

Now Price Waterhouse has over 9,000 professionals and 110 offices. They could do this job for us, unquestionably, at much lower cost.

Much of what goes at GAO, General Accounting Office, is accomplished at the behest, sad to say, of committee Chairs, people in this Congress who know the results they want in advance and who in fact dictate that result to GAO; not so much because they control the way GAO puts the staff report together but because they control the design of the inquiry.

Back in 1969, not very long ago compared to the time that GAO has been operating—when it was founded in 1921—back in 1969, as recently as that year, only 10 percent of GAO's reports were initiated by Members of the Congress. By 1980 that had increased to more than a third of all the reports handled by GAO.

By 1985 more than half, 57 percent of all the reports that GAO, this watchdog agency that is supposed to be keeping an eye on things, did were dictated by this Congress. And in 1991 that number had risen to 80 percent.

So this is the result of increasing funding. We spend more money on staff and Congress in essence co-opts that staff and uses it as its own. This is not trimming government waste; it is itself a source of government waste, now about half a billion dollars when it could operate for one-third of a billion.

I would like to yield back to the gentleman additional time so that my colleague, so that he can discuss further why it is that we feel it is so important that President Clinton's campaign promise to cut 25 percent of the legislative branch spending be honored. It is going to require action by the House and by the Senate. The President cannot force this. We have got to do it ourselves. But it is vitally important that we cut away some of the fat in our own staffing here. We could do a much, much better job than we do of legislating if most Members paid attention to the laws we drafted, if you did not see this unseemly procedure so often when a bill comes to the floor of the House that nobody has had the opportunity to read, it is over a thousand pages, might be billions or hundreds of billions of dollars, all of this has been accomplished by staff members. They have no idea what they are voting on, and the American people are worse off for it.

We could improve the legislative product and process by cutting money

and saving money for the taxpayers. This is an opportunity not to be missed. Let us help President Clinton keep his campaign promise. I say let us get on with it.

Mr. TAYLOR of North Carolina. I thank the gentleman, Congressman COX. I appreciate the work that he has done and his insight. I yield to the gentleman from Massachusetts [Mr. TORKILDSEN], who has worked as a Member of the freshman class on cutting costs.

Mr. TORKILDSEN. I thank the gentleman for yielding to me.

Mr. Speaker, the entire issue of congressional reform is very important to all of us. As a freshman, as a new Member here, I joined with my colleagues on the Republican side of the aisle and with Congresswoman TILLIE FOWLER of Florida we formed a Congressional Reform Task Force. We have been meeting almost on a weekly basis since the year began and talking about a number of issues.

We have a plan for 19 specific reforms of the way the House operates, as well as just today we released our plan for congressional campaign finance reform.

I want to focus on those areas, those parts of the freshman Republican reform package which directly contribute and support the gentleman from North Carolina's remarks about why we need to and why we should cut a total of 25 percent from legislative appropriations.

There are a number of areas that the Republican freshman task force recommended. First off, we also endorsed the 25-percent total reduction in committee budgets. We did not say that every committee had to have a 25-percent cut, as long as the cuts combined would equal 25 percent.

□ 1540

We wanted to show the American people that we know cuts have to be made. Cutting spending is more than just a slogan. We thought it was only fair and appropriate that the cuts start right here in the U.S. Congress. So we recommended a 25-percent total reduction in committee spending.

In addition to that, we recommended a 25-percent cut in the franking allowance, the account by which all Members send out free mail.

With that, we also wanted to ask for automatic disclosure of monthly franking reports. That is an amendment that we will be trying to propose to the appropriations bill tomorrow. We hope we receive the approval of the Rules Committee to offer that amendment, and to require that we think is very important as well.

We want to return any savings of the debt to the Treasury for reduction of the Federal debt.

Also importantly, we want to reduce the amount of money we spend on

former Speakers of the House. Right now that is a substantial amount of money that we spend, even after a Speaker of the House has retired 5, 10, 15 years later, we are still spending money on that individual, supposedly for him to complete his business.

We recommended 3 years. We understand that a compromise version of 5 years will be offered. We think as long as we can draw the line and say we are going to stop spending, that is the best thing to do.

But the freshmen Republicans stand committed to reductions in spending. We think those spending cuts have to spend here first.

Again I commend the gentleman from North Carolina for leading this effort, as well as all the other Members who have worked on it, because it really is a role where many Members have added their voices and their time.

Once again, I would like to thank the gentleman for yielding to me. This is an extremely important issue and the more the American people stand about it, I think the better off we are all going to be.

Mr. TAYLOR of North Carolina. Mr. Speaker, I thank the gentleman from Massachusetts.

I appreciate the efforts the freshmen class has made. There are many Members from the freshmen class that were elected to come here to make change, real change, change that is going to be hard to do and it needs to start in this body and with the congressional budget, and I appreciate the efforts of the gentleman in that area.

Mr. Speaker, I yield to the gentleman from North Carolina [Mr. COBLE]. The gentleman from North Carolina [Mr. COBLE] has been a fiscally conservative Member of this body for a number of years, but is especially interested in cutting this 25 percent, the cuts in the legislative body this year, as a real chance for us to make change in our budgeting process.

Mr. COBLE. Mr. Speaker, I thank the gentleman from western North Carolina for having yielded to me.

I say to the gentleman from North Carolina, I had not planned to participate in this special order. I just saw the gentleman on television. I came running over here because this is very much of interest to me.

I introduced a bill, and I am sure the gentleman is familiar with it, which I appropriately called the triple play bill, just on the eve of the opening of the baseball season.

I would like to touch on a couple of those and emphasize specifically where the gentleman from North Carolina is coming from as far as the legislative cutback is concerned.

My three-pronged bill addresses former Presidents' pensions, for one. It would change the eligibility of former Presidents to claim their pensions thusly:

Now as the gentleman knows, when a President leaves the White House, the next day he starts drawing his Presidential pension. I have provided a remedy to that. My bill would delay the eligibility of the President to claim that pension until he reaches, he or she reaches the prevailing Social Security age. I do not think that is unfair nor unreasonable.

Now, President Clinton if he were to serve one term would collect \$2.2 million from the time he left the White House until the time he reaches the prevailing Social Security age, clearly not right.

Another portion of my triple play bill addresses Secret Service protection to the former Presidents eternally. I can appreciate a transition period of perhaps a year, but at some point it seems to me that the former Presidents and their spouses ought to be able to blend into the woodwork without the benefit of Social Security Secret Service protection at the expense of taxpayers.

Finally, I say to the gentleman from North Carolina [Mr. TAYLOR] getting down to where the gentleman is today legislatively, I am concerned about the Speakers' benefits, the former Speakers who leave that podium, go into private life. They appear to become beneficiaries eternally of the Speaker's perks; that is, office supplies, office space, secretarial assistants. I think clearly this is abusive.

I am not blaming the former Speakers personally, but it is just another trap into which we fall around here and let the taxpayer worry about paying the fiddler when it comes time to pay the fiddler.

I think what the gentleman from North Carolina [Mr. TAYLOR] is directing toward this legislative expenditure package is well overdue. I commend the gentleman for having done it.

I think probably echoing what the gentleman has already said, because I have not been here on the floor from the outset, but I do not think the gentleman from North Carolina nor am I being unduly critical of the legislative branch.

We are not saying they have to dismount and cease operating tomorrow. We are not suggesting that at all.

I think what the gentleman from North Carolina [Mr. TAYLOR] is saying is let us make some sort of parameters whereby we can all live reasonably.

Let us address a question finally, is it good for the public? Will it benefit Americans at large, or is it in some self-serving way only benefiting those of us in this Chamber? It is time that we direct attention to it.

Mr. Speaker, I commend the gentleman from North Carolina for having taken a lead role generally as a Member of this 103d Congress, and specifically as a member of the Appropriations Committee.

I thank the gentleman for having yielded to me.

Mr. TAYLOR of North Carolina. Mr. Speaker, I appreciate the work that the gentleman from North Carolina [Mr. COBLE] has done in past years in fiscally responsibly moving toward cuts in the budget.

As the gentleman pointed out, we have all had to make sacrifices. Those of us who find our family budgets have to be cut, we have to sit back and set priorities and then go with the amount of money we have. Businesses we find have had to make those same cuts, and many times in communities it costs employees, it costs jobs, it costs the economy, but they have to do it to remain solvent.

Now, we are asking in this body today that we make the same cuts. The administration has come to the people of this country and said, "We want to cut Social Security benefits from Social Security recipients. We want to take that money, which is paid from employee withholding taxes, a special tax for the Social Security fund, we want to take those funds out of that special trust fund and over to the general fund to pay for more spending."

We are taxing Social Security benefits for that purpose, and you, the elderly, the administration is saying, should make that sacrifice.

They go on to say to Federal employees, "We want you to take COLA cuts, cost-of-living cuts. We want you to take the money, the retired money that you have to live on, we want to be able to cut that. We want you to make that sacrifice."

Those are significant sacrifices when you consider the overall budget of the average Social Security recipient or the average Federal retired employee.

Social Security recipients will be asked to pay on something around \$25,000 to \$30,000 in income, to pay a tax of 85 percent of their benefits.

We are also telling small business that we are going to in the tax package the administration passed through this House and is now over in the Senate, that we want to increase taxes on small business significantly, not to mention the number of regulations that are coming.

We said to the average person, middle class and lower income individuals, for that matter, "We want you to sacrifice and pay higher fuel taxes, gasoline taxes, Btu taxes and the like and everything else and all the inflation that follows the increase in those fuel taxes, we want you to sacrifice and make that sacrifice for this country."

Then we as a Congress report out a bill from the subcommittee and the full Committee on Appropriations that says we do not think we ought to make any cuts. We will trim around the edge here. Some of us were successful in getting a few things through, but it is less than 1 percent that this body will be sacrificing, and when you really shake it out probably is not making any cuts in the legislative body.

What we are saying today is if you are going to ask the elderly to sacrifice, if you are going to ask the average individual to sacrifice and small business to sacrifice and Federal employees to sacrifice and everyone else to sacrifice, then we should make a meaningful cut in the legislative budget of nearly \$2 billion in order to send a message that we are sharing the sacrifice and that is what a lot of this is all about.

Mr. Speaker, I would like to recognize other distinguished Members who have worked toward cutting. The gentleman from Florida [Mr. GOSS] has worked specifically trying to reduce spending in areas of former Speakers, and that amounts to several hundred thousand dollars, and it is hard to justify in the long term.

Mr. Speaker, I yield to the gentleman from Florida [Mr. GOSS].

□ 1550

Mr. GOSS. Mr. Speaker, I thank the gentleman from Carolina for yielding to me, and I very much appreciate his taking this time to make it clear that a very serious effort is, in fact, ongoing right now as we speak in the Committee on Rules to try and come up with innovative ways to cut our spending basically as it deals with the legislative appropriations bill; that is, the money we use to support the House of Representatives because it is in that area that we have had so much concern expressed from our constituents: Are we using the money wisely? Are we getting it on target? Is there redundancy? Are we spending it on the very highest priorities when there are so many needs for competing needs for dollars? Could we do other things better by privatizing rather than have general support?

Mr. Speaker, these are very valid questions, and we have had some extremely creative amendments offered to the Committee on Rules, which they will take under advisement for possibly making in order when this legislation comes to the House floor which I believe could be as early as tomorrow. Many of the amendments get right to the franking privilege. I think it is well understood that there is some abuse there, and I think it is well understood among the constituency that there is some overuse as well. The rules are extremely generous with the use of the frank; that is, free public mailing, and I think that there has been a fair amount of hue and cry across the land to bring that under control.

We have talked about whether or not our legislative service organizations are properly the best use of taxpayers' dollars these days and are those dollars being properly spent at this time when it is something like 20 percent of the funds that have been used for those purposes over the last 10 years and apparently have not been properly accounted for. That does not mean they

have been misspent. It just means they have not been properly accounted for. We do not know exactly what has happened. Mr. Speaker, that is pretty sloppy oversight from a House of Representatives that has two responsibilities. One is legislation, and the other is oversight, and, if we are not getting the oversight done, we are not doing our job, and I do not know who would want to support a legislative appropriations bill that clearly has problems in oversight in the way the moneys are spent. It seems to me that that would be a bill killer if we do not sort that out.

The specialty that I have been working on, as the gentleman from Carolina well knows, is the former Speaker's bill, and we have made a request that that amendment be made in order because the taxpayers are now spending perhaps three-quarters of a million dollars every year to support three former Speakers' public offices, staff of three, office support and franking privileges, and the stated purpose of the law that allows for those moneys to be spent that way was for these former Speakers to be able to administer, settle, and conclude their business as former Speaker.

Now clearly even the most slow-going pace would suggest that that job could be done in a few years, and we are trying to make an amendment so that, instead of perpetuating the former Speakers' activities, we are now terminating them after a decent period of time for wind-down, and we are, thereby, going to save the taxpayers a fair amount of money.

This is somewhat symbolic. What it means is the U.S. Congress is listening to the people out there, saying, "You're right. We are taking better care of ourselves than we are of the people we represent in a number of instances, and we need to stop doing that, and pay attention to the people we work for, and say, 'You're right; we are going to get better use out of precious tax dollars.'"

Mr. Speaker, that is what this process is about in the Committee on Rules. I hope we are able to make that abundance of amendments in order so that these debates will come out of the Committee on Rules and will come out here to the well of the House, the people's House, for all to see, for all to debate, for all to be persuaded to, and for all to listen to and for all to have their input, and I thank the gentleman from North Carolina [Mr. TAYLOR] for having yielded to me.

Mr. TAYLOR of North Carolina. Mr. Speaker, I thank the gentleman from Florida [Mr. GOSS] for his efforts in this area, and, as he mentioned, the Speakers' dollars we are talking about are three-quarters of a million dollars. Now that is a lot of money to the average taxpayer. It is not a lot in this budget. But it says volumes if we can-

not make this kind of cut, if we cannot show that this expenditure that we are still paying for, a staff of a Speaker who was last here 16 years ago, for instance, that he has not wrapped up his business, and all those Speakers that have served in the past, then how can we ask people in this country to make real major sacrifices if we cannot make that one, and I thank the gentleman.

Mr. GOSS. Mr. Speaker, if the gentleman would yield for just an instant, I would point out that of the three former Speakers, two have been retired for a lot longer than they served in the Speaker's chair, and they are, therefore, getting these benefits in a very great disproportion, and one has been retired now for about 8 years, I believe, and served not quite the same amount of time, maybe 10 years, so is coming up on the anniversary date of equalizing.

What all this means, however, is: What are the funds being used for, and the funds are not being used by the former Speakers for the legislative purpose that the funds were set aside for, and the funds are not being used by the former Speakers for the legislative purpose that the funds were set aside for.

Mr. TAYLOR of North Carolina. It is difficult to imagine anyone still has legislative business to carry on after 16 years.

Mr. GOSS. That is right.

Mr. TAYLOR of North Carolina. The gentleman has pointed out privately also many times we are not talking about the retirement of these individuals, or health care or other benefits that they get as part of a retirement package. We are talking about staff and the accompaniments of that staff, that sort of cost, not the individual's retirement or personal things.

Mr. GOSS. The gentleman from North Carolina [Mr. TAYLOR] is absolutely correct. These former Speakers are wonderful, distinguished Members of this institution who have done great service for this Nation, but the legislation is being abused, and it needs to be corrected. That is what the amendment is about.

But I am satisfied that these gentleman are well provided for in terms of their pension benefits, their retirement and their health benefits.

Mr. TAYLOR of North Carolina. Mr. Speaker, I thank the gentleman, and I now yield to the gentleman from California [Mr. DOOLITTLE] who has taken an outstanding stand many times for fiscal conservatism and would like to speak on this matter today.

Mr. DOOLITTLE. Mr. Speaker, I very much thank the gentleman from North Carolina [Mr. TAYLOR] for his leadership.

As my colleagues know, one of the frustrating things to me that I have felt keenly for the past several months is we hear speeches by the President

and members of his administration telling us we all need to have shared sacrifice, and I do not necessarily disagree with that ultimately. I think we all, as the American people, are going to have to pull together and do what it takes to put our Republic, once again, on a firm fiscal footing.

I guess what so deeply troubles me is that the rhetoric of shared sacrifice is always directed to the sacrifice of the American taxpayer and never to the sacrifice of the government. The government does not need to sacrifice what those individuals claim. In fact, the role of government is so important that, far from sacrificing, it needs to be augmented, it needs to be expanded, and for that purpose vast new tax increases on the middle class and on everyone are being proposed in order to fund an expanded government.

Mr. Speaker, government needs to go on a diet like most Americans. I suppose we all could benefit from shedding a few pounds, and the government needs to shed a few pounds; that is, a few expenditures it is presently making.

The gentleman from North Carolina [Mr. TAYLOR] has taken leadership in trying to have us do just that beginning with the branch that we most are directly associated with, the legislative branch.

I was not here for the beginning of this special order, but I very much join in the remarks of the gentleman from Florida [Mr. GOSS]. I mean it is absurd that we have in essence unlimited funds being provided to three former Speakers of the House to wind up their affairs. This is not to denigrate these men who have served. But if we are going to identify areas where economies can be made, in my opinion this expenditure never should have been made in the first place, but now that we have got it, we should certainly terminate it, and that is just, as my colleagues know, one little area.

The Republican leaders' plan, which I endorse, and this was a plan indicating how the world would be different in terms of running the House of Representatives if the Republicans ever ran it, but that plan calls for a 50-percent reduction in the staffs on the committees. I am very concerned about big government, as I think most Americans are. The bigger the government gets, the more laws and regulations we have to have in order to justify all of its employees. We see this very clearly.

In fact, the gentleman from North Carolina, the sponsor of this special order today, has wisely coauthored a bill which I am very proud to be a cosponsor of that goes directly to the heart of that issue by requiring that, before any administrative regulation proposed by an administrative agency can take effect, it must be actually voted upon here in the Congress of the United States.

□ 1600

Believe me, Mr. Speaker, that would do more than just about any other practical thing we could do to reduce substantially the promotion or the promulgation of new regulations.

We are, after all, the legislative body of the country, created by the Founders and the drafters of the U.S. Constitution. But in practical effect today for years we have been passing very broad laws and leaving the details to someone else, that is, the administrative agencies.

As someone once said, the devil is in the details. It really is. That is where the specifics actually are provided that institute the new burdens on businesses and individuals.

So, you know, I commend the gentleman from North Carolina [Mr. TAYLOR] for that effort. As we debate this bill or concept that the gentleman has discussed that would reduce the expenditures of the legislative branch of Government, I think it is very appropriate.

I am convinced we would not only see no reduction in the quality of legislation if we cut these committee staffs by 50 percent, I would represent that the more staff we reduce overall in the House of Representatives, and the Senate, to a certain level, the more we reduce, the better the quality of the legislative product. Because all of a sudden the men and women elected by the people of the United States to come here and serve would give more of their personal attention to these issues. If they cannot read the thousand-page bill, if they cannot be bothered with the details, then there will not be any bill. That is the approach we need to be taking.

We need, as representatives of the people, to be able to digest it, to understand it, and to act upon it, rather than simply just kind of putting it on automatic pilot and letting it go out to the administrative agencies.

The size of this legislative budget and the staff that this budget supports is what makes all of those things possible.

So the gentleman from North Carolina [Mr. TAYLOR], by proposing these reductions, is not only saving the taxpayers money, which is vital in this time of fiscal crisis, but he is also going to be giving us better government, more effective government, more bang for the buck.

Sure, we want certain things taken care of by government. Well, let us see that they are taken care of. Let us get a healthier economy. Let us increase job opportunities. Let us increase opportunities for people to better themselves financially.

In order to do that, we have to have smaller Government. In order to do that, why, we have to take some of these measures being advocated by the gentleman from North Carolina [Mr. TAYLOR].

So I am very pleased to be here today and join in this special order, and thank the gentleman for the opportunity.

Mr. TAYLOR of North Carolina. I thank the gentleman from California [Mr. DOOLITTLE]. The gentleman has been a leader in fiscal conservative motions in the past, and I appreciate his efforts today.

Let me just review for a moment for the gentleman and others who may be on the floor that are interested, because the people are often confused with the various bills coming through.

In the first part of the year we debated on this floor a budget bill. The budget is a blueprint. It may be ignored by the appropriating process and it may be ignored by the administration in many cases, although with the majority party being the same party in the White House, it pretty much was in synchronization this time. But it is not the standard that this body goes by.

After we propose a budget and pass a budget as a blueprint we vary from it in great detail.

We have also had a so-called stimulus package that was brought before the Congress where the President asked for \$16 billion of new expenditures, all of it to be added to the deficit. None of it was paid for. This House passed it. I voted against it. I daresay the gentlemen on the floor with me voted against it.

It went to the Senate. It was cut by \$12 billion because it was recognized as pretty much a pork spending piece of legislation to pay off political debts.

But you have had the budget, the so-called stimulus package, and then recently we had the budget package that proposed tax increases and some budget cuts.

As it passed this House and left this House some 2 weeks ago it had something like \$6 of taxes for approximately \$1 in spending cuts. Those spending cuts were set at the very back of the President's term. We have seen that so many times, where we get the taxes retroactive to the first of January when it left this House, and the spending cuts never come.

So we have had the budget proposal that has been debated, which is a blueprint, the so-called stimulus bill, which was \$16 billion of spending with no coverage, which was trimmed to \$4 billion in the Senate, and the tax package, which called for almost \$275 billion in new taxes and something around \$40 or \$50 billion in cuts.

Now we get to the appropriations process. This is really the \$1½ trillion that we appropriate in this country. We do it in a manner with 13 budget bills. We have 13 subcommittees and 13 bills.

The Legislative Branch Subcommittee will be reporting on the floor tomorrow and that will be the first budget bill we will be taking up. That is

why we are here today, to tell the public what is in that legislation now as it has been reported from the committee, to tell you what we think ought to be done and how this bill ought to be amended, and hope that we will get a chance on this floor as Members, many Members, to both debate the amendments we would like to put forward and to have a vote on those amendments for reducing the legislative budget some 25 percent. This would not be across the board, but in selective cuts, and we are talking about those selective cuts today.

Having said that, I would like to recognize a freshman Member of this Congress who has been a leader in the budget cutting process, who just today went before the House Rules Committee arguing for a cut, to cut this legislative branch budget by 25 percent, the gentleman from Arkansas [Mr. DICK- EY].

Mr. DICKEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I want to say that when I was campaigning, gosh, it was this time last year, that I saw these shows on television on C-SPAN and I saw the empty seats, and I thought, "Well, I am never going to do that." And now here I am.

But I want to explain to people that, first of all, there are people in the gallery. I am talking to you all, too, because we are all citizens here.

But this thing is that important. What we have as an opportunity tomorrow is going to be monumental as far as the people of America are concerned as it relates to spending cuts.

I get in my office tons and tons of communications on spending cuts first, taxes later. We cannot have a replay of what we had in 1990. There is no reason for us to think that we can tax our way into prosperity. No nation has ever done it. I get that time and time again.

Now, what has come before us in this House, or what might come before us, depending on this rules decision, is the opportunity for us to take leadership in this body among the committees and in our personal office operations to cut expenses by 25 percent.

Now, when you hear that being said, what we are talking about is we take what was last year's expenses and we just knock 25 percent off. We are not doing it all the way across the board, which was my approach at first. But we have kind of gotten a bunch of people together and we are doing it selectively so we are fixing those things that are duplication services and are not necessary, and we are saying zero to those, and others we are keeping at 100 percent.

But the bottom line is 25 percent would be cut from this budget, from the budget of the House of Representatives, for the coming year.

Now, what this means is a certain amount of dollars, and you have heard

people mention that. But more than that it is going to be an element of leadership.

I want to tell a little story from a man in Arkansas about a man named Sam Walton. He built the largest, most successful retail operation in the world on the basis that he did it first, that he did everything that there was. He fixed bicycles, he waited on customers, he put the inventory in his shop, and he learned it. And his employees knew that Mr. Sam would do it if they did not do it.

Now, what we do in this Congress is we sit up here and we say okay, we are going to have some cuts because that is what you all want. But we are going to have it cut from every other area except our own.

We cannot answer the question as to why in the world we are not cutting our own expenses when we face the American people. We can answer it around here when we are talking to colleagues and we are talking this fraternity talk that goes on here, and we can say that is not wise. But when someone says we cannot cut the expenses up here in Congress by 25 percent, ask them why.

□ 1610

They may say, well, it is better that we cut 14 percent, it is better that we cut 5 percent. Ask them, for whom is it better? And that is what we have now.

Mr. Sam's example, do it yourself first and that is leadership. If we are going to have shared sacrifice, let us do it from the top down. And that is what is behind this rules bill that is going to come up.

If we vote on it tomorrow, it is going to be a great day. That is why I take this time here to talk to an empty Chamber, but I know it is not empty out there in America, because you all are crying for us to do what is right.

I want to say, the legislative branch has in its greed increased its spending by 5 percent every year for 15 years. So if we do nothing, we are going to be increasing, because of the appetite that is here. It is like a carnivorous plant. It just keeps growing and building and growing and building. And because of it, we have so many excesses.

Our President, my former Governor and now our President, supports efforts to make "meaningful congressional spending reductions." That is what he says, and I think we can follow that. We need to do this, as I said, so that we can say to the American people, yes, we will sacrifice and, yes, we will give the leadership.

What I am not convinced of is that these people here who are voting against this bill or who might vote against it think there is a life after spending cuts. I cannot imagine what we would do if our Nation operated like we operate here, where we have got this fear or neurosis about spending cuts and what might follow.

So what I am saying is, I am looking forward to the debate tomorrow, if we can have it. If we cannot have the debate, the debate on whether or not the American people will get the 25-percent cut, leadership out of this body, I am hopeful that if we do, you will understand that we are doing it for you, the American people.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. JOHNSON of South Dakota). The Chair will note that, being charged with the responsibility of preserving decorum in the debate of this body, the Chair would remind all Members that under the rules and precedents of the House, it is not in order to direct remarks in debate to persons viewing the proceedings in the galleries or on television or even to other Members who, not being present in the Chamber, might be viewing the proceedings on television.

All remarks should be addressed to the Chair.

Mr. TAYLOR of North Carolina. Mr. Speaker, I appreciate the remarks of the gentleman. I think they were from the heart, and I think he was speaking from his experience in this body, both now in his time of service and his practical experience before coming here.

One of the things the selective cutting of this body allows us to do, it allows us to keep the funds available for Members who do service in their district. It is only about 20 percent of the dollars in the total congressional budget that go to what could be called a specific congressional service to the public. And we know that need is out there.

We all know that in our congressional offices, we are working every day to help small business people, to help clear up snafus in the bureaucracy.

The dollars that would be available to help those people are still there. We are not cutting other services, like the services for the blind in the congressional Library of Congress, which is under our budget.

We are leaving those funded, 100 percent. We are leaving funded the dollars that are there for the Library of Congress that conducts exchanges with local libraries. In fact, we would like to see in the future us to be able to further transmit the knowledge collected in the Library of Congress out into our local communities so that we can further enrich those communities. These dollars are left in place.

As the gentleman from Arizona [Mr. DICKEY], who just spoke, we are, however, making substantial cuts in duplicative services, in numerous committees, in the small fieldoms that are often built up and duplicated around the some 117 subcommittees, the 23 committees, and the 5 joint commit-

tees. And so what we want to do is to work toward modernizing this process, not destroy this process, but making this trimming a budget and leading an example in that way.

Mr. Speaker, I yield to a former member of the Gang of 7, an outstanding Congressman in this body who has worked toward fiscal responsibility, the gentleman from Ohio [Mr. BOEHNER].

Mr. BOEHNER. Mr. Speaker, I thank the gentleman from North Carolina [Mr. TAYLOR]. I want to thank him for yielding to me and commend him for his efforts on the Subcommittee on Legislative of the Committee on Appropriations and his effort to cut that budget by some 25 percent.

In the case of myself, I have been to the Committee on Rules just today offering two amendments that I would like to be made in order tomorrow, as we consider the legislative appropriations bill.

The one change that I would like to suggest is with regard to the Architect of the Capitol.

Currently, this body appropriates money for the Architect, who is charged with the responsibility of maintaining the buildings here in the Capitol. Those moneys that are expended to the Architect's Office do not show up in the Clerk of the House Report, do not show up in the Senate reports, and I, as one Member of this body, would like to know how those funds are expended.

So I suggested in my amendment that all of the funds appropriated by the House to the Architect's Office, in fact, show up in the quarterly report from the Clerk.

The second amendment that I have in front of the Committee on Rules that I hope they will make in order tomorrow deals with unsolicited mailings, deals with the congressional frank.

The Congress, this past year, spent \$34 million in free postage for Members to send mail throughout their districts. I believe that this number can continue to be cut, and I expect to support several amendments that will be offered tomorrow to reduce that amount of money.

The fact is that my office, we answered all of the letters we received from our district. We did no mass mailings. We spent about 7.5 percent of our budget or about \$14,000 in 1992 and about \$14,000 in 1991. That is out of a budget of approximately \$170,000. I believe that we can continue to make dramatic progress in reducing the amount of franked mail that goes out of this body.

I think the frank goes back to the first Congress, some 200 years ago, when Members did not have the ability to communicate very well with their constituents. And over these 200 years, our ability as Members of Congress to communicate with our constituents

has increased dramatically, even in the last 10 years, whether it is local newspapers, whether it is cable television, whether it is radio, and I do not think that Congress needs to spend this vast sum of money sending out newsletters and other types of mass mailings.

I would also like to say that I intend to support the amendment of the gentleman from Washington [Ms. Dunn], if it is made in order tomorrow, for a 25 percent cut in committee staffs, both statutory and their investigative staffs.

I think the exponential growth of committee staff here in the Congress has been too much, and it is time that we head in another direction.

As I said earlier, the amendment of the gentleman from Kansas [Mr. ROBERTS], to cut \$10 million in the franking budget, is an amendment, if offered, that I will support.

I think the amendment of the gentleman from Florida [Mr. GOSS], offered with the gentleman from Wisconsin [Mr. KLUG], to eliminate money for former Speakers, the money that we give to former Speakers to set up and maintain an office, is something that is probably inappropriate.

If I leave here, I get no money to run an office. I do not think former Speakers need that as well.

But I think it has become clear to all of us that have been here, even as short a time as the gentleman from North Carolina [Mr. TAYLOR] and myself, we have been here 2½ years, that the spending spree needs to stop and that we need to get serious about reducing the cost of the Federal Government.

If we are serious about doing that, we need to start those reductions in cost right here in the U.S. House of Representatives.

Mr. TAYLOR of North Carolina. Mr. Speaker, I appreciate the remarks of the gentleman and appreciate the work he has done.

My colleagues, what we have tried to do with this special order is to alert the Members of the House of the process that we have in the 13 budget bills that will be coming before us. Now is the time for us to make the changes. Now is the time for us to make the cuts.

□ 1620

Having sat in the Committee on Appropriations, I have heard very earnest testimony talking about the needs for diversity in committees, the needs for staffs, even though they may be overlapping in many of the committees, and in many of the expenditures we make, many of the types of services that they offer, perhaps, some special nuance for that expenditure.

I would tell the Members of this body, in my personal experience, I have three boys, 10, 12, and 13. They all wanted a horse. Now, I cannot afford to feed three teenaged boys and three horses, though the horses will eat less.

However, the need can be served in what we have done. We all agreed to buy one old plug and they all take turns riding it, and they named it themselves, each different names. It has worked out fine. They have all learned to ride and they have all gotten a lot of pleasure from it. Some day perhaps we may be able to afford two more horses for them.

We have to do the same in this body. It certainly is nice to have a number of different staffs, committees, organizations that overlap in their services, that give me, maybe, a special viewpoint, or give another Member a certain viewpoint. However, we have come to the time when we cannot afford the luxury of this overlapping and the duplicative services that we have. We cannot afford the growth of government that we have.

We have to, as the first in the 13 budget bills that will be coming before this body and before the Senate and be sent to the President as the legislative budgeting and appropriations process moves forward, we must set the example as the legislative branch of government. We must make the sacrifice if we are to ask others to sacrifice.

I hope tomorrow that the Committee on Rules will allow the amendments necessary for that sacrifice, and time for the debate for the sacrifice to be explained to the American people.

RECESS

The SPEAKER pro tempore (Mr. JOHNSON of South Dakota). Pursuant to clause 12 of rule I, the House will stand in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 23 minutes p.m.) the House stood in recess subject to the call of the Chair.

□ 2137

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DERRICK) at 9 o'clock and 37 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2348, LEGISLATIVE BRANCH APPROPRIATIONS, FISCAL YEAR 1994

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 103-118) on the resolution (H. Res. 192) providing for the consideration of the bill (H.R. 2348) making appropriations for the legislative branch for the fiscal year ending September 30, 1994, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT REGARDING SUBMISSION OF AMENDMENTS TO THE INTERNATIONAL RELATIONS ACT OF 1993

(Mr. MOAKLEY asked and was given permission to address the House for 1 minute.)

Mr. MOAKLEY. Mr. Speaker, the Rules Committee plans to meet and grant a rule on the International Relations Act of 1993 on Monday, June 14. A request may be made for a structured rule, which would permit only those floor amendments designated in the rule.

Earlier today, the committee circulated a "Dear Colleague" that requests all amendments to the bill be submitted to the Rules Committee no later than 12 noon on Monday, June 14, 1993.

In order to ensure members' rights to offer amendments under the rule that may be requested, they should submit 55 copies of each amendment together with a brief explanation of each amendment to the committee office at H-312, the Capitol, by 12 noon on Monday, June 14. Members should draft their amendments to the substitute amendment reported by the Committee on Foreign Affairs on June 8. Copies of the substitute are available in the offices of Legislative Counsel for the purpose of drafting amendments.

□ 2140

Mr. SOLOMON. Mr. Speaker, will the gentleman yield?

Mr. MOAKLEY. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Speaker, I just want to make sure that the membership is going to understand that if there is a possibility, if they do have amendments and they are prefilled, as the chairman of the Committee on Rules is requesting, that we will have a Committee on Rules meeting on that bill and on their prefilled amendments sometime Monday afternoon, is that correct?

Mr. MOAKLEY. That is what we anticipate, yes.

Mr. SOLOMON. And I would ask further, Mr. Speaker, Members who do have amendments and to prefile them had better be back in town by noon-time or so on Monday in order to testify before the Committee on Rules Monday afternoon?

Mr. MOAKLEY. The gentleman is correct, any time between now and Monday noon.

Mr. SOLOMON. I understand that the gentleman may repeat this statement tomorrow when we go in at 10 o'clock so that the membership which has left the Capitol today and tonight will be more aware of it.

Mr. MOAKLEY. Yes, the gentleman is correct.

Mr. SOLOMON. I appreciate that very much.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COLLINS of Georgia (at the request of Mr. MICHEL), for today, on account of official business.

Mr. HOEKSTRA (at the request of Mr. MICHEL), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. QUINN) to revise and extend their remarks and include extraneous material:)

Mr. FAWELL, for 60 minutes, on June 14.

Mr. TAYLOR of North Carolina, for 60 minutes, today.

Mr. DELAY, for 5 minutes, today and on June 10.

Mr. HORN, for 20 minutes each day, on June 15 and 22.

(The following Members (at the request of Mr. NEAL of North Carolina) to revise and extend their remarks and include extraneous material:)

Ms. PELOSI for 5 minutes, today.

Mr. LAFALCE for 60 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. QUINN) and to include extraneous matter:)

Mr. BURTON of Indiana.

Mr. TAYLOR of North Carolina.

Mr. FRANKS of New Jersey.

Mr. HOEKSTRA.

Mr. HYDE.

Mr. COX.

Mr. CLINGER.

Mr. GOODLING in three instances.

(The following Members (at the request of Mr. NEAL of North Carolina) and to include extraneous matter:)

Mr. MURTHA in two instances.

Mr. KANJORSKI.

Mr. TRAFICANT in five instances.

Mr. LANTOS.

Mr. FORD of Michigan.

Mrs. MEEK.

Mr. TORRES in three instances.

Mr. LAFALCE.

Mr. LEHMAN.

Mr. SCHUMER.

Mr. FOGLIETTA in two instances.

Mr. FAZIO.

Mr. BONIOR in two instances.

Mr. PAYNE of Virginia in three instances.

Mr. MENENDEZ in two instances.

Mr. STUPAK.

Mr. HAYES.

(The following Members (at the request of Mr. TAYLOR of North Carolina) and to include extraneous matter:)

Mr. TAYLOR of North Carolina.

Mr. BONIOR.

Mr. NEAL of Massachusetts.

Mr. DICKEY.

Mr. DIAZ-BALART.

Mr. BRYANT.

Mr. HUTTO.

Mr. MEEHAN.

Mr. COLEMAN of Texas.

Mr. MURTHA.

Mr. PAYNE of New Jersey.

Mr. WILLIAMS in two instances.

Mr. SOLOMON in two instances.

Ms. SLAUGHTER.

Mrs. JOHNSON of Connecticut.

ADJOURNMENT

Mr. MOAKLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 40 minutes p.m.) the House adjourned until tomorrow, Thursday, June 10, 1993, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1330. A letter from the Assistant Secretary of State for Legislative Affairs, transmitting the President's determination (93-24) certifying that substantial withdrawal has occurred of the armed forces of Russia and the Commonwealth of Independent States from Lithuania, Latvia, and Estonia, pursuant to Public Law 102-391; to the Committee on Appropriations.

1331. A letter from the Principal Deputy Comptroller, Department of Defense, transmitting a report on two violations of the Antideficiency Act, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1332. A letter from the President, Thrift Depositor Protection Oversight Board, transmitting a report pursuant to section 21A(k) (9) of the Federal Home Loan Bank Act, as amended; to the Committee on Banking, Finance and Urban Affairs.

1333. A letter from the Chairman, Council of the District of Columbia, transmitting copies of D.C. Act 10-33, "American Geophysical Union Revenue bond Act of 1993," pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

1334. A letter from the Secretary of Education, transmitting Final Regulations—Student Assistance General Provisions, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1335. A letter from the Secretary of Education, transmitting notice of deadline date for participation in the Institutional Quality Assurance Program and revision of selection criteria, pursuant to 20 U.S.C. 1232(d)(1); to the Committee on Education and Labor.

1336. A letter from the Secretary of Health and Human Services, transmitting the annual report for fiscal year 1992 of the Administration on Aging, pursuant to 42 U.S.C. 3018; to the Committee on Education and Labor.

1337. A letter from the Secretary of Health and Human Services, transmitting a report on the Department's efforts to bring about coordination of goals, objectives, and activities of agencies and organizations which

have responsibilities for programs related to child abuse and neglect during 1990, pursuant to 42 U.S.C. 5106f; to the Committee on Education and Labor.

1338. A letter from the Assistant Secretary (Legislative Affairs), Department of State, transmitting notification of proposed approval of manufacturing license agreement with Israel (Transmittal No. OTC-26-93), pursuant to 22 U.S.C. 2776(d); to the Committee on Foreign Affairs.

1339. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on Foreign Affairs.

1340. A letter from the Manager, Employee Benefits, Department of the Air Force, transmitting the Department's annual report on its retirement plan for civilian employees for the year ending September 30, 1992, pursuant to 31 U.S.C. 9503(a)(1)(B); to the Committee on Government Operations.

1341. A letter from the Inspector General, Department of Housing and Urban Development, transmitting the inspector general's semiannual report for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2515, 2526); to the Committee on Government Operations.

1342. A letter from the Chairman, Equal Employment Opportunity Commission, transmitting the Commission's semiannual report for the period ending March 31, 1993 on activities of the inspector general, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1343. A letter from the Acting Director, Federal Domestic Volunteer Agency, transmitting the two semiannual reports on activities of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1344. A letter from the Chairman, Federal Reserve System, transmitting the semiannual report of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1345. A letter from the Acting Administrator, General Service Administration, transmitting the semiannual report on the activities of the Department's inspector general for the period October 1, 1992 through March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1346. A letter from the Chairman, National Credit Union Administration, transmitting a copy of the semiannual report for the period ending March 31, 1993, on activities of the inspector general, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1347. A letter from the Inspector General, Office of Personnel Management, transmitting the semiannual report on activities of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1348. A letter from the Secretary of Transportation, transmitting the Department's semiannual report on the activities of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1349. A letter from the Secretary of Energy, transmitting the eighth semiannual report of the inspector general for the period

ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2515, 2526); to the Committee on Government Operations.

1350. A letter from the Secretary of the Treasury, transmitting the Department's semiannual report on activities of the inspector general for the period ended March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1351. A letter from the Secretary of Agriculture, transmitting the Department's semiannual report on activities of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1352. A letter from the Secretary of Commerce, transmitting the Department's semiannual report on activities of the inspector general and the semiannual report on final audits for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1353. A letter from the Secretary of Education, transmitting the Department's eighth semiannual report on audit followup of the inspector general for the period ending March 31, 1993, pursuant to Public Law 95-452, section 5(b) (102 Stat. 2526); to the Committee on Government Operations.

1354. A letter from the Secretary of Transportation, transmitting the Department's annual report on activities under the Freedom of Information Act during 1992, pursuant to 5 U.S.C. 552(d); to the Committee on Government Operations.

1355. A letter from the Secretary of the Interior, transmitting the 1992 section 8 report on national historic and natural landmarks that have been damaged or to which damage to their integrity is anticipated, pursuant to 16 U.S.C. 1a-5(a); to the Committee on Natural Resources.

1356. A letter from the Commandant, U.S. Coast Guard, transmitting a revised executive summary to the plan of licensing operations of federally documented commercial fishing vessels, along with a joint recommendation from the Coast Guard and the Commercial Fishing Vessel Advisory Committee for implementing the plan, pursuant to 46 U.S.C. 7101 note; to the Committee on Merchant Marine and Fisheries.

1357. A letter from the Acting Administrator, General Services Administration, transmitting an informational copy of a prospectus, pursuant to 40 U.S.C. 606(a); to the Committee on Public Works and Transportation.

1358. A letter from the Interim CEO, Resolution Trust Corporation, transmitting the Corporation's April 1993 report on the status of the review required by section 21A(b)(11)(B) of the Federal Home Loan Bank Act, pursuant to Public Law 101-507, section 519(a) (104 Stat. 1386); jointly, to the Committees on Appropriations and Banking, Finance and Urban Affairs.

1359. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the third report on the subject of intermarket coordination, pursuant to Public Law 101-432, section 8(a) (104 Stat. 976); jointly, to the Committees on Banking, Finance and Urban Affairs, Energy and Commerce, and Agriculture.

1360. A letter from the Director of Central Intelligence, transmitting a draft of proposed legislation to authorize appropriations for fiscal year 1994 for intelligence and intelligence-related activities of the U.S. Govern-

ment and the Central Intelligence Agency Retirement and Disability System, and for other purposes; jointly, to the Committees on Intelligence (Permanent Select), Armed Services, the Judiciary, Post Office and Civil Service, and Banking, Finance and Urban Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FROST: Committee on Rules. House Resolution 192. A resolution providing for consideration of the bill (H.R. 2348) making appropriations for the Legislative Branch for the fiscal year ending September 30, 1994, and for other purposes (Rept. 103-118). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. TORRES (for himself, Mr. BROWN of California, Mr. CONYERS, Mr. CLYBURN, Mr. DE LUGO, Mr. FALEOMAVAEGA, Mr. FILNER, Mr. FROST, Mr. JEFFERSON, Mr. KILDEE, Mr. LEWIS of Georgia, Mr. MFUME, Ms. PELOSI, Mr. SWETT, Mr. WASHINGTON, Mr. WYNN, Mrs. MEEK, Mr. NADLER, Mr. STOKES, and Mr. ROMERO-BARCELO):

H.R. 2349. A bill to amend the Small Business Act to support the expansion of business executive education programs for owners and managers of disadvantaged small business concerns; to the Committee on Small Business.

By Mr. TORRES:
H.R. 2350. A bill to require depository institutions to offer basic financial services accounts, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. WILLIAMS:
H.R. 2351. A bill to authorize appropriations for fiscal years 1994 and 1995 to carry out the National Foundation on the Arts and the Humanities Act of 1965, and the Museum Services Act; to the Committee on Education and Labor.

By Mr. ALLARD (for himself, Mr. BARRETT of Nebraska, Mr. SANTORUM, Mr. HOBSON, Mr. SAM JOHNSON of Texas, Mr. EWING, Mr. CUNNINGHAM, Mr. ZELIFF, Mr. BOEHNER, Mr. DOOLITTLE, Mr. ZIMMER, and Mr. RAMSTAD):

H.R. 2352. A bill to make various reforms in the congressional budget process; jointly, to the Committees on Government Operations and Rules.

By Mr. CONYERS:
H.R. 2353. A bill to make supplemental appropriations for fiscal year 1993 for the summer jobs program, and for other purposes; jointly, to the Committee on Appropriations and Government Operations.

By Mr. CANADY (for himself and Mr. MCCOLLUM):

H.R. 2354. A bill to limit judicial interference in the management of the Nation's prisons and jails and permit incarceration of greater numbers of dangerous offenders, without restricting the legitimate constitu-

tional rights of inmates; to the Committee on the Judiciary.

By Mr. COX:
H.R. 2355. A bill to require a parent who is delinquent in child support to include his unpaid obligation in gross income, and to allow custodial parents a bad debt deduction for unpaid child support payments; to the Committee on Ways and Means.

By Mr. DE LUGO:
H.R. 2356. A bill to amend the Water Resources Development Act of 1990 to extend the authority of the Secretary of the Army to carry out certain construction projects in the Virgin Islands; to the Committee on Public Works and Transportation.

By Mr. LAFALCE (for himself, Ms. KAPTUR, and Mrs. MEYERS of Kansas):
H.R. 2357. A bill to amend the Small Business Act to assist the development of small business concerns owned and controlled by women, and for other purposes; to the Committee on Small Business.

By Mr. LANTOS:
H.R. 2358. A bill to impose sanctions against any foreign person or U.S. person that assists a foreign country in acquiring a nuclear explosive device or unsafeguarded nuclear material, and for other purposes; jointly, to the Committees on Foreign Affairs, Banking, Finance and Urban Affairs.

H.R. 2359. A bill to amend the Nuclear Non-Proliferation Act of 1978 and the Atomic Energy Act of 1954 to improve the organization and management of U.S. nuclear export controls, and for other purposes; jointly, to the Committees on Foreign Affairs and Banking, Finance and Urban Affairs.

By Mr. LEHMAN:
H.R. 2360. A bill to establish the Office of Law Enforcement in the U.S. Fish and Wildlife Service; to the Committee on Merchant Marine and Fisheries.

By Mrs. MEEK:
H.R. 2361. A bill to amend title 28, United States Code, to permit amounts in the Department of Justice Assets Forfeiture Fund to be used for payments of certain State and local property taxes on forfeited real property; to the Committee on the Judiciary.

By Mr. NEAL of Massachusetts:
H.R. 2362. A bill to make a technical correction with respect to the temporary duty suspension for clomiphene citrate; to the Committee on Ways and Means.

By Mr. SCHUMER (for himself and Mr. FALLONE):
H.R. 2363. A bill to amend the Foreign Sovereign Immunities Act to provide for exceptions in cases of torture, extrajudicial killing, or war crimes; to the Committee on the Judiciary.

By Mr. WILLIAMS:
H.R. 2364. A bill to provide employment opportunities to unemployed individuals in high unemployment areas in projects to repair and renovate vitally needed community facilities, and for other purposes; to the Committee on Education and Labor.

By Mr. COPPERSMITH (for himself, Mr. KLEIN, and Mr. HOKE):
H.R. 2365. A bill to terminate the Department of Energy's program to promote the use of liquid metal reactors for the disposal of high-level radioactive waste; jointly, to the Committees on Science, Space, and Technology, Natural Resources, and Energy and Commerce.

By Mr. MURTHA:
H.J. Res. 211. Joint resolution proposing an amendment to the Constitution of the United States relating to school prayer; to the Committee on the Judiciary.

By Mr. ALLARD (for himself, Mr. BARRETT of Nebraska, Mr. SANTORUM, Mr. HOBSON, Mr. SAM JOHNSON of Texas, Mr. EWING, Mr. CUNNINGHAM, Mr. ZELIFF, Mr. BOEHNER, Mr. DOOLITTLE, Mr. ZIMMER, and Mr. RAMSTAD):

H. Res. 190. Resolution amending the Rules of the House of Representatives to reform the House, and for other purposes; jointly, to the Committees on Rules and House Administration.

By Mr. BOEHNER:

H. Res. 191. Resolution prohibiting Members of the House of Representatives from using the frank for unsolicited mailings; jointly, to the Committees on House Administration, Post Office and Civil Service, and Rules.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 13: Mr. MCINNIS.
H.R. 18: Mr. WALSH, Mr. MCINNIS, Mr. COLLINS of Georgia, Mr. BROWN of Ohio, Mr. BOEHLERT, Mr. KLINK, Mrs. COLLINS of Illinois, Mr. BLACKWELL, and Mr. INSLEE.
H.R. 81: Mr. KINGSTON, Mr. RAHALL, Ms. DANNER, Mr. PICKETT, Mr. VISCLOSKEY, Mr. YATES, and Mr. DIXON.
H.R. 349: Mrs. CLAYTON and Mr. PETERSON of Florida.
H.R. 369: Mr. HOBSON and Mr. HASTERT.
H.R. 385: Mr. HERGER.
H.R. 538: Mr. MCHALE.
H.R. 569: Mr. MILLER of California.
H.R. 625: Mrs. JOHNSON of Connecticut, Mr. FINGERHUT, Mr. MACHTLEY, and Mr. KLINK.
H.R. 632: Mr. ENGEL.
H.R. 643: Mr. KLUG.
H.R. 667: Mr. DIAZ-BALART.
H.R. 749: Mr. WALSH, Mr. SHAYS, Mr. KINGSTON, Mr. COLEMAN, Mr. GEKAS, Mrs. FOWLER, and Ms. DUNN.
H.R. 760: Mr. KREIDLER and Mr. SCHIFF.
H.R. 776: Mr. GEKAS.
H.R. 789: Mr. KREIDLER, Mr. MURTHA, Mr. McDERMOTT, Mrs. JOHNSON of Connecticut, Mr. McDADE, Mrs. BENTLEY, Mr. KOPETSKI, Mr. BAESLER, Mr. MCCURDY, Mr. LANCASTER, Mr. JOHNSON of Georgia, Mr. HOYER, Mr. BEILSON, Mr. BOEHLERT, Mr. BOEHNER, Mr. BRYANT, Mr. CAMP, Mr. CARR, Mr. CHAPMAN, Mrs. CLAYTON, Mr. DEAL, Mr. EVANS, Mr. FAZIO, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. DELAY, Mr. DARDEN, Mr. BALLENGER, Mr. BARTON of Texas, and Ms. DELAULO.
H.R. 790: Mr. VENTO.
H.R. 796: Mr. CARR, Mr. JOHNSTON of Florida, Mr. ANDREWS of New Jersey, Mr. PALLONE, Mr. BECERRA, and Mr. REYNOLDS.
H.R. 799: Mr. BREWSTER and Mr. HOYER.

H.R. 823: Mr. SHAYS and Mr. MACHTLEY.
H.R. 961: Mr. KENNEDY, Mr. BLUTE, Mr. KNOLLENBERG, Mr. MCHUGH, Mr. QUINN, and Mr. DICKEY.
H.R. 1024: Mr. THOMAS of Wyoming.
H.R. 1026: Ms. DUNN, Mr. PACKARD, and Mr. HASTERT.
H.R. 1036: Mr. HUGHES, Mr. YOUNG of Alaska, and Mr. VENTO.
H.R. 1057: Mr. MACHTLEY, Mr. RIDGE, Mr. EWING, Mr. MCHUGH, Mr. YOUNG of Alaska, Mrs. MORELLA, Mr. ZELIFF, Mr. FROST, and Mr. SENSENBRENNER.
H.R. 1122: Mr. SHAYS.
H.R. 1126: Mr. SHAYS.
H.R. 1127: Mr. SHAYS.
H.R. 1128: Mr. ISTOOK.
H.R. 1141: Mr. HUTCHINSON, Mr. INGLIS of South Carolina, Mr. PORTER, Mr. OBERSTAR, and Mr. MURPHY.
H.R. 1164: Mr. ENGEL and Mr. YATES.
H.R. 1181: Mr. MCINNIS and Mr. SKAGGS.
H.R. 1188: Mr. WATT and Mr. MFUME.
H.R. 1200: Mr. ROMERO-BARCELO and Mr. COYNE.
H.R. 1293: Mr. KYL, Mr. COX, Mr. SAM JOHNSON, and Mr. BOEHNER.
H.R. 1314: Mr. HYDE.
H.R. 1349: Mr. HASTERT, Mr. BRYANT, and Mr. CASTLE.
H.R. 1362: Mr. STUPAK.
H.R. 1453: Mr. FILNER, Mr. WALSH, Ms. BYRNE, and Mrs. UNSOELD.
H.R. 1472: Ms. ESHOO and Mr. STUDDS.
H.R. 1490: Mr. ARMEY, Mr. DUNCAN, Mr. BARTLETT of Maryland, Mr. MYERS of Indiana, Mr. NUSSLE, and Mr. SKEEN.
H.R. 1523: Mr. JOHNSON of South Dakota.
H.R. 1543: Mr. EMERSON.
H.R. 1552: Mr. PORTER, Mr. KLUG, Mr. TORKILDSEN, Mr. SMITH of New Jersey, Ms. DELAULO, and Ms. PRYCE of Ohio.
H.R. 1598: Mr. KOPETSKI.
H.R. 1624: Mr. LEVY.
H.R. 1670: Mr. CUNNINGHAM.
H.R. 1687: Ms. LONG.
H.R. 1697: Mr. DUNCAN, Mr. SHAW, Mr. GUNDERSON, Mr. MARTINEZ, Mr. SMITH of Texas, Mr. SHUSTER, Mr. MOLLOHAN, Mr. SMITH of Iowa, Mr. DINGELL, Mr. JOHNSTON of Florida, Mr. HOBSON, Mr. MOORHEAD, Mr. EDWARDS of Texas, Ms. PRYCE of Ohio, and Mrs. BENTLEY.
H.R. 1707: Mrs. THURMAN, Mr. LIPINSKI, Mr. STUPAK, Mr. FROST, and Mr. ROMERO-BARCELO.
H.R. 1785: Mr. SMITH of Michigan, Mr. BALLENGER, and Mr. HASTERT.
H.R. 1795: Mr. SERRANO.
H.R. 1796: Mr. RAHALL.
H.R. 1820: Ms. LOWEY and Mr. ENGEL.
H.R. 1821: Ms. LOWEY and Mr. ENGEL.
H.R. 1881: Mr. GENE GREEN of Texas.
H.R. 1900: Mr. GONZALEZ.
H.R. 1935: Mr. JEFFERSON, Mr. CLYBURN, Mr. DIXON, and Mr. HINCHEY.
H.R. 1938: Mr. DEUTSCH, Mr. CAMP, Mr. PETERSON of Minnesota, Mr. FROST, and Mr. BREWSTER.

H.R. 1957: Mr. HILLIARD and Mr. EMERSON.
H.R. 1961: Mr. MARKEY, Ms. WOOLSEY, Mr. ABERCROMBIE, Mr. SERRANO, and Mr. SCOTT.
H.R. 1989: Mr. GREENWOOD, Mr. MCHUGH, and Mr. PACKARD.
H.R. 2017: Mr. TOWNS, Ms. MALONEY, and Miss COLLINS of Michigan.
H.R. 2113: Mr. HOEKSTRA.
H.R. 2124: Mr. EVERETT, Mr. EMERSON, Mr. LIGHTFOOT, Mr. SOLOMON, and Mr. SAM JOHNSON.
H.R. 2152: Mrs. BENTLEY, Mr. DIAZ-BALART, Ms. FOWLER, Mr. COBLE, Mr. INHOPE, and Mr. FRANK of Massachusetts.
H.R. 2246: Mr. TEJEDA.
H.R. 2253: Mr. HASTERT.
H.R. 2284: Mr. MURPHY.
H.R. 2292: Mr. STARK.
H.R. 2315: Mr. GREENWOOD, Mr. GUNDERSON, Mr. ROYCE, and Mr. WALSH.
H.J. Res. 95: Mr. FALCOMAEGA, Mr. VENTO, and Mrs. MALONEY.
H.J. Res. 131: Mr. MINETA, Mr. MANTON, Mr. SLATTERY, Mr. GORDON, Mr. TORRICELLI, Mr. MANN, Mr. STUMP, Mr. GINGRICH, Mr. LAFALCE, Mr. STOKES, Mr. DIXON, Mr. DE LA GARZA, Mr. FALCOMAEGA, Mr. DIAZ-BALART, Mr. SARPALIUS, Mr. VENTO, Mr. HOBSON, Mr. KLEIN, Mr. TUCKER, Mr. MACHTLEY, Mr. MYERS of Indiana, and Mr. KENNEDY.
H.J. Res. 137: Mr. GORDON, Mr. SKEEN, and Mr. MARKEY.
H.J. Res. 145: Mr. MYERS of Indiana, Mr. SOLOMON, and Mr. GUNDERSON.
H.J. Res. 167: Mrs. MEYERS of Kansas and Mr. KINGSTON.
H.J. Res. 184: Mr. BONIOR, Mr. CLINGER, Mr. CHAPMAN, Mr. COSTELLO, Mr. FALCOMAEGA, Mr. LANCASTER, Mr. LEACH, Mr. NATCHER, Mr. PACKARD, Mr. PARKER, and Mr. SPENCE.
H.J. Res. 208: Mr. ROHRBACHER.
H. Con. Res. 18: Mr. KINGSTON and Mr. PAXON.
H. Con. Res. 74: Mr. GALLO.
H. Con. Res. 100: Mrs. KENNELLY, Mr. DEFazio, Mr. COPPERSMITH, Mr. WALSH, Mr. HINCHEY, Ms. PRYCE of Ohio, Mr. HOBSON, Mr. BROWN of Ohio, Ms. WOOLSEY, Mr. BOUCHER, Mr. VENTO, Mr. WAXMAN, Mr. GUNDERSON, Mr. SWETT, Ms. FURSE, Mr. JACOBS, Mrs. JOHNSON of Connecticut, and Mr. LEACH.
H. Con. Res. 102: Mr. ROYCE.
H. Res. 33: Mr. KOPETSKI.
H. Res. 40: Ms. VELAZQUEZ and Ms. SLAUGHTER.
H. Res. 123: Mr. SOLOMON.
H. Res. 124: Mr. SOLOMON.
H. Res. 148: Mr. INSLEE.
H. Res. 188: Mr. SOLOMON, Mr. OLIVER, Mr. ANDREWS of Maine, Mr. MINETA, Mr. ENGEL, Mr. WAXMAN, Mr. BONIOR, Mr. GEJDENSON, Mr. HEFLEY, Mr. FOGLIETTA, Ms. SLAUGHTER, Mrs. MALONEY, Mr. BARTLETT of Maryland, Mr. WALSH, Mr. LIPINSKI, Mr. APPLEGATE, and Mr. SAWYER.

EXTENSIONS OF REMARKS

WOMEN'S BUSINESS PROCUREMENT ASSISTANCE ACT OF 1993

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. LaFALCE. Mr. Speaker, today I am introducing, on behalf of myself and Congresswomen MARCY KAPTUR and JAN MEYERS, the Women's Business Procurement Assistance Act of 1993.

This legislation is designed to promote access for women to Federal procurement opportunities by requiring numerical goals to be established by Federal agencies for prime contracts and subcontracting plans; by mandating affirmative outreach efforts to identify and solicit offers from women-owned businesses; by designating a Women-in-Business Specialist in each agency to implement programs to assist women-owned businesses; by establishing an Office of Women's Business Ownership at the Small Business Administration to promote and assist women-owned small businesses; and by requiring the General Accounting Office to report to Congress on the number of women-owned businesses awarded Federal contracts over the next 3 years.

Mr. Speaker, the Federal Government cannot afford to ignore the dynamic and growing sector of the business community that is comprised of women business owners. According to the most recent Survey of Women-Owned Businesses conducted by the Bureau of the Census, for the period 1982-87:

The number of women-owned businesses grew four times faster than all businesses;

The number of women-owned businesses grew by 57 percent; and

Women own approximately one third of the Nation's businesses.

In light of these new economic realities, giving women entrepreneurs fair and equal access to the Federal marketplace is the business-like thing to do. But, unfortunately, this is not happening. According to the General Accounting Office, a mere 1.3 percent of Federal contracting dollars were awarded to women-owned businesses in fiscal year 1990.

When I see such a meager number of Federal procurement dollars awarded to women entrepreneurs—compared to their numbers in business ownership—I have to conclude that Congress must make clear that it is serious about promoting and developing women-owned businesses.

The Women's Business Procurement Act is an effort to do just that. Through outreach, enhanced promotion, and better use of resources already in place, we can break through the barriers—the glass ceiling on women entrepreneurs—that are limiting Federal procurement opportunities for women and further the integration of women entrepreneurs

into the economic mainstream of the United States.

Text of the bill follows:

H.R.—

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Women's Business Procurement Assistance Act of 1993".

SEC. 2. GOAL SETTING.

Section 15(g) of the Small Business Act (15 U.S.C. 644(g)) is amended—

(1) in paragraph (1) by inserting "small business concerns owned and controlled by women," after "small business concerns" the first place it appears in the first sentence and the first place it appears in the fourth sentence;

(2) in the first sentence of paragraph (2) by inserting "by small business concerns owned and controlled by women," after "small business concerns,";

(3) in the second sentence of paragraph (2) by inserting "small business concerns owned and controlled by women," after "small business concerns" the first place it appears; and

(4) in the fourth sentence of paragraph (2) by inserting "small business concerns owned and controlled by women and" after "including participation by".

SEC. 3. REPORTING.

Section 15(h) of the Small Business Act (15 U.S.C. 644(h)) is amended—

(1) by inserting "small business concerns owned and controlled by women," after "small business concerns" the first place it appears in paragraph (1), the first place it appears in paragraph (2)(A), and the first place it appears in paragraph (2)(D);

(2) in paragraph (1) by inserting "and subcontracts" after "contracts";

(3) by adding at the end of paragraph (1) the following new sentence: "The Administration shall submit to the Committee on Small Business of the Senate and the Committee on Small Business of the House of Representatives information obtained from such reports, together with appropriate comments.";

(4) in paragraph (2)(F) by striking "women-owned small business enterprises" and inserting "small business concerns owned and controlled by women".

SEC. 4. SUBCONTRACTING.

(a) STATEMENT OF POLICY.—Section 8(d)(1) of the Small Business Act (15 U.S.C. 637(d)(1)) is amended—

(1) in the first sentence by inserting "small business concerns owned and controlled by women," after "small business concerns,"; and

(2) in the second sentence by inserting "small business concerns owned and controlled by women," after "small business concerns" the first place it appears.

(b) CONTRACT CLAUSE.—The contract clause specified in section 8(d)(3) of the Small Business Act (15 U.S.C. 637(d)(3)) is amended as follows:

(1) Subparagraph (A) of such clause is amended by inserting "small business con-

cerns owned and controlled by women," after "small business concerns" the first place it appears in the first sentence and the first place it appears in the second sentence.

(2) Subparagraph (C) of such clause is amended to read as follows:

"(C)(i) As used in this contract, the term 'small business concern' means a small business concern as defined pursuant to section 3 of the Small Business Act and relevant regulations promulgated pursuant thereto.

"(ii) As used in this contract, the term 'small business concern owned and controlled by socially and economically disadvantaged individuals' means a small business concern—

"(I) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and

"(II) whose management and daily business operations are controlled by one or more of such individuals.

The contractor shall presume that socially and economically disadvantaged individuals include Black Americans, Hispanic Americans, Native Americans, Asian Pacific Americans, and other minorities, or any other individual found to be disadvantaged by the Administration pursuant to section 8(a) of the Small Business Act.

"(iii) As used in this contract, the term 'small business concern owned and controlled by women' means a small business concern—

"(I) which is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

"(II) whose management and daily business operations are controlled by such women.

The contractor shall presume that women have been subjected to gender based discrimination and may determine whether a small business concern meets the percentage requirements under subclause (I) without regard to the community property laws of any jurisdiction."

(c) CONFORMING AMENDMENTS.—Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by inserting "small business concerns owned and controlled by women," after "small business concerns" the first place it appears in paragraphs (3)(D), (4)(D), (4)(E), (6)(A), (6)(C), (6)(F), (10)(B), and (11).

(d) EXCLUSION.—No business concern shall be deemed eligible for any contract or other assistance pursuant to section 2323 of title 10, United States Code, due solely to the provisions of this section.

SEC. 5. WOMEN-IN-BUSINESS SPECIALISTS.

Section 15(k) of the Small Business Act (15 U.S.C. 644(k)) is amended—

(1) by inserting "(1)" after "(k)";

(2) by redesignating paragraphs (1), (2), (3), (4), (5), (6), (7), (8), and (9) as subparagraphs (A), (B), (C), (D), (E), (F), (G), (H), and (I), respectively;

(3) by striking "and" at the end of subparagraph (H) (as redesignated);

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

(4) in subparagraph (I) (as redesignated), by striking out the period after "Code" and all that follows through "shall be made" and inserting in lieu thereof a comma, and by striking the period after "contract file" and inserting ", and";

(5) by inserting after subparagraph (I) (as redesignated) the following new subparagraph:

"(J) subject to paragraph (2)(A), designate an employee of such office to be a women-in-business specialist responsible for the implementation and execution of programs designed to assist small business concerns owned and controlled by women.";

(6) by designating the last sentence as paragraph (2); and

(7) by adding at the end the following new paragraph:

"(3)(A) The Director of Small and Disadvantaged Business Utilization in a Federal agency shall ensure that the women-in-business specialist designated pursuant to paragraph (1)(J) has sufficient knowledge of small business concerns owned and controlled by women and the Federal procurement process, other appropriate qualifications, and appropriate training from the Office of Women's Business Ownership to effectively carry out the specialist's responsibilities under this Act.

"(B) Each women-in-business specialist designated pursuant to paragraph (1)(J) in a Federal agency shall work full time to initiate and execute programs to assist small business concerns owned and controlled by women participating in the performance of contracts let by the agency. The specialist shall—

"(i) respond to requests from small business concerns owned and controlled by women;

"(ii) identify and solicit offers from small business concerns owned and controlled by women, as required under section 15(p) of this Act, through means such as sending solicitation packages to such concerns for each proposed contract for which such concerns may be eligible to compete and holding workshops on procurement for such concerns; and

"(iii) regularly monitor the agency's progress toward meeting the annual goal established under subsection (g) for participation by small business concerns owned and controlled by women."

SEC. 6. OUTREACH.

Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection:

"(p) Each Federal agency having procurement powers shall engage in affirmative efforts to identify and solicit offers from small business concerns owned and controlled by women and small business concerns owned and controlled by socially and economically disadvantaged individuals. To the maximum extent practicable, a representative number of such concerns shall receive solicitation packages for each proposed acquisition for which such concerns may be eligible to compete."

SEC. 7. ESTABLISHMENT OF THE OFFICE OF WOMEN'S BUSINESS OWNERSHIP.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by adding at the end the following new section:

"SEC. 28. OFFICE OF WOMEN'S BUSINESS OWNERSHIP.

"(a) ESTABLISHMENT.—There is established in the Small Business Administration the Office of Women's Business Ownership (hereinafter in this section referred to as the 'Office').

"(b) DIRECTOR.—The Director of the Office (hereinafter in this section referred to as the 'Director') shall be appointed by the Administrator not later than 60 days after the date of the enactment of this section.

"(c) FUNCTIONS.—The Director shall perform the following functions:

"(1) Promote, coordinate, and monitor the plans, programs, and operations of Federal departments and agencies which may contribute to the establishment, preservation, and strengthening of small business concerns owned and controlled by women. The Director may, as appropriate, develop comprehensive interagency plans and specific program goals for small business concerns owned and controlled by women with the cooperation of the departments and agencies.

"(2) Establish policies, definitions, procedures, and guidelines to govern the implementation, interpretation, and application of this section, and generally perform such functions and take such steps as the Director may consider to be necessary or appropriate to carry out this section.

"(3) Promote the mobilization of activities and resources of State and local governments, business and trade associations, private industry, colleges and universities, foundations, professional organizations, and volunteer and other groups toward the growth of small business concerns owned and controlled by women, and facilitate the coordination of the efforts of such groups with those of Federal departments and agencies.

"(4) Make an annual assessment of the progress made in the Federal Government toward assisting small business concerns owned and controlled by women to enter the mainstream of business ownership and provide recommendations for future actions to the Administrator.

"(5) Convene and consult (as necessary) with persons inside and outside government to develop and promote new ideas concerning the development of small business concerns owned and controlled by women.

"(6) Consider the findings and recommendations of government and private sector investigations and studies of the problems of women entrepreneurs, and promote further research into such problems.

"(7) Monitor the contracting and subcontracting performance of each department, agency, and business enterprise participating under this section.

"(8) Promote access and participation for small business concerns owned and controlled by women to a fair proportion of the broad array of purchases and contracts for property and services for the Federal Government.

"(9) Provide training as needed to women-in-business specialists designated pursuant to section 15(k)(1)(J) to carry out their responsibilities under this Act."

SEC. 8. GENERAL ACCOUNTING OFFICE REPORT.

(a) REPORT REQUIREMENT.—Not later than 3 years after the date of enactment of this Act, the Comptroller General shall submit to Congress a report comparing the number of small business concerns owned and controlled by women procuring Federal contracts during the year preceding the date of the enactment of this Act with the number of such businesses during each of the 3 years occurring after such date. If the number of such businesses did not increase significantly by the end of the 3-year period beginning on the date of the enactment of this Act, the Comptroller General shall include in the report recommendations on actions that could be taken to increase the number.

(b) SENSE OF CONGRESS.—If the report required under subsection (a) shows that the

number of small business concerns owned and controlled by women did not increase significantly by the end of the 3-year period beginning on the date of the enactment of this Act, it is the sense of Congress that further legislative steps should be taken to ensure that the number of Federal contracts entered into with small business concerns owned and controlled by women realistically reflects the potential of such business concerns to perform Federal contracting and subcontracting work.

INTRODUCTION OF TARIFF TECHNICAL CORRECTION LEGISLATION

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. NEAL of Massachusetts. Mr. Speaker, I am introducing a bill today to make a technical correction in the tariff suspension applicable to clomiphene citrate.

Clomiphene citrate is a pharmaceutical preparation, approved by the Food and Drug Administration, used to treat human infertility. Clomiphene citrate is imported into the United States in both finished and bulk form. In bulk form, clomiphene citrate is a white powder and in its finished form, clomiphene citrate is a tablet packaged for oral administration.

Under the prior tariff schedules of the United States (TSUS), clomiphene citrate was importable duty free in all forms under a temporary suspension provision. When the United States made the initial conversion the harmonized tariff system (HTS), both forms of clomiphene citrate were inadvertently excluded from duty-free status because of a mistaken classification of clomiphene citrate in the duty suspension of the HTS. This oversight was corrected by Presidential proclamation on September 28, 1989 and this correction resulted in the inclusion of the bulk form of clomiphene citrate within the scope of duty suspension, and not the finished form.

There are no producers of clomiphene citrate in the United States. Since the domestic forms importing the bulk product of which there are only two, import both powder and finished tablets, it is important to continue the same duty-free treatment that existed before the conversion to the HTS. Otherwise, the firm importing clomiphene citrate in its finished form will be disadvantaged in what is a very small market.

Treating bulk clomiphene citrate differently from the finished product is an unintended consequence of the conversion to HTS. The solution is to amend the temporary duty suspension language so that it refers to both sections of the schedules in which it is currently classified either 2922.19.15 or 3004.90.60. This legislation will accomplish the necessary technical correction by adding the reference to section 3004.90.60. The legislation is retroactive and applies to entries made after December 31, 1988. This is noncontroversial legislation and I urge the support of my colleagues.

**LAKE GEORGE ELEMENTARY
SCHOOL AWARDED NATIONAL
BLUE RIBBON FOR EDUCATIONAL
EXCELLENCE**

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. SOLOMON. Mr. Speaker, it is common to complain these days about the state of public education in America. Why not a few words about the really good schools in America?

One of them, Lake George Elementary School, has been recognized by the U.S. Department of Education as a 1991-92 National Blue Ribbon School of Excellence.

Such recognition goes to schools that exhibit strong leadership in education, a clear vision and sense of mission shared by everyone connected with the school, high-quality teaching, an up-to-date curriculum, and an environment conducive to learning. Such schools also are marked by strong parental interest and involvement and a record of helping all students achieve, regardless of their abilities.

Such criteria are reviewed by a panel of 105 outstanding educators and other professionals, who then select schools for site visits and make recommendations to the Secretary of Education. The Secretary then announces the names of the schools selected. The schools recognized with awards will be honored at a national ceremony here in Washington next fall.

Mr. Speaker, the standards for this award are high. School districts all over the country submitted the names of schools they thought met those standards. Of the 478 schools nominated, only 228 were selected for recognition.

Praise is in order for Sherman Parker, Lake George superintendent of schools, for every teacher, for every administrator, and for every student involved in making Lake George Elementary the fine school it is today.

Please join me in paying tribute to Lake George Elementary School, a school that will serve as an inspiration for other schools as we strive for educational excellence in America.

NEWARK'S HARRIET TUBMAN ELEMENTARY SCHOOL ONE OF AMERICA'S BEST SCHOOLS

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to bring to the attention of my colleagues an event that took place in Newark, NJ, on Friday, May 28, 1993, of which I am extremely proud. It was a ceremony in which a banner was installed on the Harriet Tubman Elementary School proclaiming it one of the best in the Nation.

Last year I had the privilege of nominating the school in the Redbook Magazine's America's Best School Project. It was easy for me to recognize the capacity of the school. And, apparently, it was easy for the election committee to recognize this unique institution for its successes.

The students at the school consistently have achieved the highest scores city-wide in tests of reading skills. The school is equipped with two computer labs, which are used to teach youngsters the writing process. This allows children of all grades to sharpen their writing skills and develop their creativity by using the computer to compose stories. Musical talents are also cultivated through study of the violin, flute, drum, and other instruments.

One of the keys to the school's success is a very close working relationship between parents and staff. High learning expectations are set for the students, and each child's progress is closely monitored. The combination of a caring staff, heavy parent involvement, a well-rounded curriculum and an achievement-oriented philosophy do indeed make Harriet Tubman one of America's best schools.

Harriet Tubman, the heroine and conductor of the underground railroad, is believed never to have lost a charge in the approximately 300 slaves she led to freedom. Mr. Speaker, her namesake school, one of the jewels in the crown of the Newark Board of Education, is also working towards the goal of never losing one of its students to the evils of our present day society. I know my colleagues will want to offer their congratulations and best wishes to the Harriet Tubman Elementary School family—Ms. Dolores Ollie, the principal; the faculty; staff and students.

**INTRODUCTION OF
AUTHORIZATION LEGISLATION**

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. WILLIAMS. Mr. Speaker, today I am introducing legislation to extend the authorizations of the National Endowment for the Arts, the National Endowment for the Humanities, and the Institute of Museum Services.

This is a simple 2-year extension of existing law. It makes no substantive changes in the authorities of the NEA, NEH, and IMS, and it conforms the funding levels of these agencies to the levels requested by President Clinton in his fiscal year 1994 budget. Because the authorities for these three agencies expire on September 30 of this year, we need to act quickly on this simple extension.

Mr. Speaker, as you know, we made some very significant changes in the NEA the last time we reauthorized that agency. Those changes have been implemented, and by all accounts they have been useful and successful. I had hoped to use this reauthorization to consider more changes for the NEA as well as possible changes to the NEH and IMS. For example, I wanted to explore what we might be able to do to expand the reach of those agencies to serve more of America. The NEA has begun some initiatives in this area. The IMS has requested funds this year in its fiscal year 1994 budget request to begin a program of support for small, rural, and minority museums. We should do more to encourage emerging and minority artists and museums. I also wanted to use this reauthorization to pursue more fully the issue of arts education, and

to consider the most appropriate location for Federal activities in this important area. However, this is a new administration and we need ample time to fully explore with them possible changes in direction for the three agencies.

Therefore, extending the existing authorities of these agencies for 2 years will give us the time to undertake a thorough review of these agencies.

I want to give my colleagues notice of the schedule I hope to follow with this bill. On June 10, I plan to hold a hearing before my Subcommittee on Labor Management Relations to consider this legislation. I hope to complete both subcommittee and full committee action on this legislation before the July 4 recess, and then move the bill through the full House before the August recess. It is my understanding that our colleagues in the Senate hope to follow a similar timetable. If we can keep to this schedule, we will have an authorization in place for our appropriations committee to do its important work before the fiscal year expires.

TRIBUTE TO BONNIE SHAPIRO, RECIPIENT OF THE NEW JERSEY TENANTS ORGANIZATION'S 11TH ANNUAL RONALD B. ATLAS LEADERSHIP AWARD

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. MENENDEZ. Mr. Speaker, I would like to take this opportunity to offer my sincerest congratulations to Ms. Bonnie Shapiro, the administrative director of the New Jersey Tenants Organization [NJTO]. Bonnie's commitment to tenants rights runs deep. She has been active in tenant organizations for 21 years, including the last 11½ with NJTO, the Nation's oldest and largest tenant group.

Over the years, Bonnie's service to the tenants of New Jersey has been more than exemplary. She has gone beyond the call of duty and put herself on the line for tenants rights innumerable times. Whether handing out pamphlets or lobbying State legislators, Bonnie has done it all and done it well.

Just listen to how her colleagues at NJTO have described her. NJTO President Michelle Rupa has called Bonnie "the glue that holds the whole organization together. Her depth of knowledge, extraordinary spirit, warmth and empathy are gifts to every tenant in this State. Tenants throughout New Jersey who call our office with problems are able to depend on Bonnie's wisdom, compassion, expertise and support. She is central to everything that goes on in the organization." NJTO Organizing Vice-President Mitch Kahn has said that Bonnie "has educated the NJTO leadership and forged coalitions with women's groups. In addition, she has used her writing talents to energize and organize tenants over the years through a stream of incendiary flyers."

In fact, it was Ms. Shapiro's dedication to her cause which embroiled her in a court battle on behalf of New Jersey tenants, during which she was temporarily restrained from continuing to fight for tenants through her

powerful public speaking and writing. Yet, despite the personal hardship, Bonnie Shapiro has endured as a leader and a fighter for tenants rights in New Jersey. NJTO's selection for this year's Ronald B. Atlas Award is well founded. Bonnie Shapiro deserves all of our thanks.

MARY DRISCOLL HONORED

HON. RICHARD E. NEAL

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. NEAL of Massachusetts. Mr. Speaker, today I want to go on record saying "thank you" to a dedicated, long-time public servant from my district, Mrs. Mary Driscoll of East Longmeadow, MA.

Mrs. Driscoll was born in 1928 in Worcester, MA to her parents James and Helen. She and her brother Robert Deamer, now a retired teacher from the Springfield school system, grew up in Worcester and graduated from South High School.

In 1956 she was married to James Driscoll, an elementary school teacher. They moved to the Forest Park section of Springfield in 1960, and then 4 years later they made East Longmeadow their home.

She is the mother of six children—Patrick, Maura, John, Mary, Judy, and Jim—and the grandmother of three—Katie, Conor, and Carri-ck.

Mr. Speaker, Mary Driscoll's work in her community has been extensive. She has been a very active member of St. Michael's Church. She was a long-time member of the parish council. In her role as the chairperson of the Youth Committee, she helped to organize many activities and dances for the town youth.

She has also been active in the Girl Scouts as a leader and a volunteer. In this capacity she passed her fine values along to the children of our area.

For 8 years she was employed as a title 1 tutor at the Mapleshade School. She has just recently retired from her job at the Friendly Restaurant Corp. headquarters in Wilbraham.

Mr. Speaker, I would also like to acknowledge Mrs. Driscoll's contribution to our great party. Mrs. Driscoll has served on the East Longmeadow Democratic Town Committee since 1980. She has attended several State conventions.

Especially worthy of praise, Mr. Speaker, is Mrs. Driscoll's service on the East Longmeadow School Committee. Mrs. Driscoll has served for 12 years, beginning with her election in 1981. She has served as chairperson, and twice as vice-chairperson. She has worked tirelessly to improve education for the children of East Longmeadow. She is now retiring from the committee, but she leaves behind her a legacy filled with accomplishment.

Mr. Speaker, I ask my colleagues to join with me in congratulating Mary Driscoll on her retirement. I am sure this body will join me in expressing appreciation for all her noble deeds.

EXTENSIONS OF REMARKS

FATHER JAMES MCMANUS CELEBRATES 50 YEARS IN THE PRIESTHOOD

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. SOLOMON. Mr. Speaker, I've often spoken in this Chamber about the important role of religion in the history of the Adirondacks-Catskills-Hudson Valley area I represent. Today I'd like to say a few words about a man whose half-century in God's service has added an honored chapter in that ongoing history.

The Reverend James A. McManus, pastor emeritus of St. Mary's Church in Hudson Falls, was ordained a priest by the Most Reverend Edmund F. Gibbons on June 19, 1943. His first assignment was to St. John's Church in Rensselaer, where he remained until 1961. After brief assignments in Roxbury and Glens Falls he was named pastor of St. Matthew's Church in Voorheesville from 1962 to 1968. Finally, he was appointed pastor of Immaculate Heart of Mary Church in Hudson Falls from 1969 until his retirement in 1990.

Father McManus still lives at St. Mary's/St. Paul's Church in Hudson Falls with the Reverend Leo L. Marcil, pastor emeritus of St. Paul's Church, and the Reverend Edward C. Pratt, pastor of St. Mary's/St. Paul's.

During his 21 years in Hudson Falls, Father McManus was dean of Washington County.

This Sunday, June 13, the Roman Catholic community of Hudson Falls and Kingsbury will celebrate Father's 50th anniversary in the priesthood. Father McManus will be the main celebrant at a Mass of Thanksgiving at 2 p.m. Homilist for that liturgy will be the Reverend John F. French, pastor of Our Lady of Annunciation Church in Queensbury, and a native of Rensselaer.

For more than 50 years, Mr. Speaker, Father McManus has been a true shepherd to his various flocks, and a credit to his priestly vows.

Today, it is my privilege to ask this House to join me in tribute to Father James McManus, dedicated servant to the Roman Catholic community of the district, and a great American.

MY HAT GOES OFF TO THE PHARMACEUTICAL INDUSTRY

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. PAYNE of New Jersey. Mr. Speaker, I would like to share with you and my colleagues and extraordinary humanitarian effort. I have just returned from Somalia where I saw, firsthand, medical supplies from American-based pharmaceutical firms ready for distribution to the people of Somalia.

I visited Somalia in November 1992 where I witnessed the devastation of war and hunger. Everyday, thousands would die because of the lack of food and medicine. I knew

something had to be done to help alleviate this wanton suffering. Upon my return, I shared my findings and reached out to those who could help make a difference. The United States offered the assistance of our troops, and the Pharmaceutical Manufacturers Association [PMA] lent its resources when I explained that I was distressed to find that measles, a preventable disease, is the largest cause of death among Somali children. With the assistance of Gerald J. Mossinghoff, president of PMA, and W. Larry Lucas, associate vice president, I was able to contact the members of the pharmaceutical industry to solicit their help.

The response from the industry was phenomenal. Over 2 million dollars' worth of medicines have been contributed by 16 pharmaceutical firms—Bristol-Myers Squibb, Fisons, Fujisawa, Glaxo, Hoffman-LaRoche, Lederle, Merck, Ortho, Pfizer, Schering-Plough, Solvay, Sterling Winthrop, Syntex, Warner-Lambert, Whitehall, and Wyeth-Ayerst.

I was able to ensure that the supplies were delivered to Somalia because we worked in close cooperation with the U.S. Committee for UNICEF. UNICEF guarantees that donated drugs are put to use as a part of a basic health program for the people of Somalia. Relief agencies have established a national drug warehouse in Mogadishu as part of an effort to establish a national distribution system for medicines.

Mr. Speaker, it is a pleasure to be able to thank organizations for donating medicine to the people of Somalia. It is heartwarming to know that there are those who care and turn that care into action. Thank you pharmaceutical companies.

JOBS FOR THE 1990'S

HON. PAT WILLIAMS

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. WILLIAMS. Mr. Speaker, today I rise to introduce legislation to provide jobs for our Nation's unemployed. Currently, there are 8.9 million Americans unemployed. Major layoffs are being announced almost every week in our national news media. It is clear that America's workers need useful employment now.

My legislation will provide productive employment opportunities to unemployed individuals in the repair and rehabilitation of essential community and educational facilities; in the conservation, rehabilitation, and improvement of public lands; and, in public safety, health, social service, and other activities necessary to the public welfare. Funds will be available to cover the necessary labor costs as well as for the acquisition of tools, equipment, and materials.

A summary of the legislation follows:

It would create 320,000 jobs at the fiscal year 1994 authorization level, \$4.5 billion, and wage levels in the legislation. These jobs would start within 30 days after funds are allocated.

Out of the funds appropriated for this act, 80 percent shall be spent on government and private nonprofit jobs which will repair and rehabilitate public facilities; provide public safety,

health or social services; or rehabilitate or improve public lands and the environment. The mix of jobs within the 80 percent is to be determined locally based on local needs. Of the remaining 20 percent, half goes to repair and renovation activities at elementary, secondary, and half goes for higher educational facilities.

Allocations are made to local governments and Indian tribes with unemployment rates in excess of 6.5 percent and funds flow directly to the administrative entity of the JTPA service delivery area in which the local government is located. An area of contiguous census tracts equaling a population of 10,000 or more and with unemployment rate in excess of 6.5 percent could also be eligible.

Not less than 75 percent of the funds shall be used for wages and benefits and not more than 10 percent shall be used for administration; the remainder shall be used for materials and supplies.

From the funds allocated for jobs with governments and nonprofits: 2 percent shall be reserved for Indian tribes; 5 percent for the Governor for State jobs within eligible jurisdictions; and 93 percent for eligible jurisdictions.

Wages shall be paid which are not less than the highest of the Federal, State or local minimum wage or the prevailing wages for individuals employed in similar occupations. Wages may be supplemented from local resources.

The average Federal share of wages for jobs created under this Act cannot exceed 75 percent of the national average weekly earnings of production or nonsupervisory workers on private, nonfarm payrolls, a Bureau of Labor Statistics term of art, which annualized is about \$19,170 and 75 percent is about \$14,380.

The authorization is: \$4.5 billion for fiscal year 1994 and an authorization for succeeding fiscal years of the product of 4 percent of the total number of unemployed individuals multiplied by 75 percent of the national average weekly earnings of production or nonsupervisory workers on nonfarm payrolls, thus, what we are saying is that we want an authorization to provide jobs for only 4 percent of the unemployed at wages that are only 75 percent of the average wage. This multiple would yield: 8.9 million unemployed times \$19,170 times 75 percent equals \$5.1 billion at a 7.0 percent unemployment rate.

A TRIBUTE TO COL. PAUL V. KELLY, USMC

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. MURTHA. Mr. Speaker, I rise today to pay tribute to a dedicated U.S. marine officer as he departs from his post as the legislative assistant for the Chairman of the Joint Chiefs of Staff to the position of Chief of Staff for the 3d Marine Division in Okinawa.

Col. Paul V. Kelly deserves our tribute. He has been connected with the Congress in one position or another for over 8 of his 24-year Marine career. His career accomplishments read like a quiet study of the military leader this Nation depends on to serve in both peace

and war. I would like to take a moment to highlight Paul's career milestones.

After graduating with a B.A. degree from Merrimack College of Andover, MA and Marine Officer Candidate School in 1969, Colonel Kelly served as a platoon and company commander in Vietnam where he was decorated for valor. He then returned to complete a master's degree at the University of Lowell and subsequently served as a staff officer for the 3d Marine Expeditionary Force (Okinawa), HQ Marine Corps (Washington), 4th Marine Division (New Orleans), and Navy legislative Affairs (Washington). He established the first legislative affairs office for the Chairman of the Joint Chiefs of Staff to work with the Congress under the revised command guidelines established under the Goldwater-Nichols DOD Reorganization Act.

He has been General Powell's principal liaison with the Congress during a rather momentous time in our Nation's history—the end of the cold war, Desert Storm, Provide Promise, Provide Hope, Provide Comfort, Southern Watch, Deny Flight, and countless other military operations and exercises. During Operations Desert Storm/Desert Shield, he accompanied me and many others on delegations to the Middle East. He has been with me on trips to almost every trouble spot in the world over the past several years from tours of our counternarcotic operations in South/Central America, to the shelled city of Sarajevo, to the hunger and violence of Somalia. This marine is always on top of the issues of the day, and can be relied upon to ensure national decision-makers get the right information.

Colonel Kelly has previously been awarded the Legion of Merit, the Purple Heart, two Defense Meritorious Service Medals, the Navy Commendation Medal with Combat "V," the Navy Achievement Medal, Meritorious Unit Citation, National Defense Ribbon, Vietnamese Campaign Ribbon, Sea Services Medal, and the Vietnamese Service Medal. His wife, Linda, and daughter, Susan, will remain in the Washington area while he is deployed to Okinawa.

Mr. Speaker, it is a great honor for me to present the credentials of Col. Paul Kelly before the Congress today. It is clear, through his stated and unstated accomplishments for his country, that he has been a man who daily dedicates himself to the peace and freedom we enjoy as a nation today. All his actions reflect a true leader with a clear sense of purpose, conviction, and conscience of service to his Nation. We wish him success in his future assignments. Semper, Fi, Marine!

TRIBUTE TO SAM AND TERRY ROTH

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. TRAFICANT. Mr. Speaker, I rise today in honor of Sam and Terry Roth, two outstanding citizens from my 17th Congressional District of Ohio.

Mr. Speaker, the Roths are recipients of the 22d annual Guardian of the Menorah Tribute.

The award, sponsored by B'nai B'rith, is given each year to an outstanding member of the community who has demonstrated, through service and commitment, his or her dedication to youth and to the community.

This year marks the first time two people have been honored, but it is easy to see why. Mrs. Roth is deeply involved in the Mahoning Valley and serves or has served in a variety of capacities. Her curriculum vitae shines: Co-chairman of Heritage Manor's needs-assessment committee, chairman of the Heritage Manor volunteer corps committee and the manor's board of directors and chairman of the Welcome Wagon of the Jewish Federation. In addition, she is secretary and a past general campaign chairman of the women's division of the Jewish Federation and serves on the boards of the Jewish Federation, volunteer services to seniors and retired senior volunteer program. She also has been a past president for both Temple El Emeth Sisterhood and B'nai B'rith Women.

Mr. Speaker, Mr. Roth has an equally sparkling record of service to his community. His involvement dates back to his high school years, when he was president of Aleph Tzadek Aleph Chapter 169. He then went on to become president of the Hillel Foundation at Ohio University and, upon return to his community, served as president of B'nai B'rith Youngstown Lodge 2360.

Mr. Roth is currently the treasurer of Roth Brothers, Inc., but he remains very active in the community. He serves as general cochairman and cabinet member of the combined Jewish Appeal as well as a member of the builders association labor board policy committee. He has been president of the Temple El Emeth and the Jewish Community Center on Gypsy Lane. In addition, he has been a United Way volunteer. For his efforts, Mr. Roth received the Gold Key Award for Youth Services by B'nai B'rith's District 2. He also was named Boss of the Year in 1984 by the National Association of Women in Construction.

Mr. Speaker, I would like to take this special opportunity to congratulate Sam and Terry Roth for their efforts to improve the community. I join the citizens of my district in saluting these two outstanding individuals.

A TRIBUTE TO GOV. JIM FLORIO

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. FOGLIETTA. Mr. Speaker, I rise today to extend congratulations to Gov. Jim Florio of New Jersey who earlier this week was awarded the John F. Kennedy Profile in Courage Award.

Governor Florio is recognized for his principled stand on two of the toughest issues lawmakers face today: gun control and budget reform. Governor Florio stood up to the New Jersey legislature, and the special interests, to resist political pressures to take the easy way out of a tough situation. He knew that somebody had to make the tough decisions.

On May 30, 1990, New Jersey adopted the strictest gun control law in the Nation, banning

the sale and severely restricting the possession of semi-automatic rifles and pistols. After a massive public relations campaign by the National Rifle Association, the Republican controlled New Jersey Legislature overrode the bill in late 1992. Governor Florio vetoed this override bill and rallied public support against the NRA effort. After constituents swamped their legislators with calls in support of the Governor's position, the New Jersey Senate voted unanimously to support the veto.

When Governor Florio assumed office in 1989, he faced the twin crises of a \$2 billion budget shortfall, and an unconstitutional method of financing the New Jersey school system which, through an excessive reliance on property taxes, resulted in large disparities in funding and quality between school districts. Millionaires had been paying the same tax rate as middle-class citizens, while property assessments rose 12-14 percent every year in the 1980's. Something had to be done.

Within months of taking office, Jim Florio acted decisively. His plan provided an additional \$1 billion for public education which was raised by making the State tax system more progressive. Nine out of ten dollars raised under this plan came from those making over \$100,000. And, 83 percent of New Jersey residents paid no additional taxes. As a result of these policies, property taxes went down or stabilized in 85 percent of New Jersey's communities and the State budget was brought under control.

By acting as he did, Governor Florio placed himself in great political risk. There were calls for his impeachment, and rallies held to protest his policies. But, Governor Florio should be proud of his accomplishments. Nevertheless, Governor Florio was not honored with the John F. Kennedy Profile in Courage Award because of his achievements, but for his convictions. He did what is expected of all public servants—to act with conviction and courage in the public interest.

SUPPORT BUSINESS EDUCATION PROGRAMS

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. TORRES. Mr. Speaker, I rise today to call for my colleagues' support on a bill to amend the Small Business Act which would support business education programs to help historically underutilized businesses compete in the open marketplace. The bill does not change the purposes of the U.S. Small Business Administration's [SBA] Minority Small Business and Capital Ownership Development Program. Instead, it would require that an important purpose of that program would receive the attention it deserves.

The SBA has many programs which are designed to help start-up businesses. But it has not been very successful in helping businesses compete successfully in the open marketplace. This longstanding problem was noted in the recent Final Report of the United States Commission on Minority Business Development and a 1992 GAO report.

There are currently private educational programs that have been successful in assisting historically underutilized businesses to compete on an equal basis in the mainstream economy. They focus on businesses that have survived the start-up stage and provide sophisticated business education tailored to the unique problems faced by historically underutilized businesses.

Unfortunately, the availability of such effective, high quality programs is quite limited. Many eligible businesses cannot afford to pay sufficient tuition and the educational institutions that have the necessary businesses expertise have limited funding available for scholarships. This bill would direct a portion of SBA's management and technical assistance grant funding to the expansion of programs that have demonstrated success in this area.

I have worked for more than 20 years to help businesses grow in economically troubled areas. It is far more cost effective, and more beneficial to recipients, to help businesses grow beyond the need for Government assistance, than to spend all available funds on services which may not encourage or assist them to develop beyond the start-up phase. It is for this reason that I am introducing the bill today.

Mr. Speaker, I urge my colleagues to join me as cosponsors on this important bill.

INTRODUCTION OF LEGISLATION REGARDING VIOLATION OF HUMAN RIGHTS BY FOREIGN GOVERNMENTS

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. SCHUMER. Mr. Speaker, in 1942, an American family named Princz was in Slovakia where the father was doing business. When the Nazi army invaded, the Princzs were trapped. Because they were Jewish, they were sent to the concentration camps.

Seven of the eight members of this American family perished in the death camps. Miraculously, one of the Princzs, a young man named Hugo, survived his imprisonment at Auschwitz-Birkenau. When the U.S. Army liberated Auschwitz in the waning days of the war, they picked Hugo from among the hundreds of nearly dead prisoners because he had the letters "U-S-A" on his uniform.

For the past four decades, Hugo Princz has been seeking redress from the German Government. The Jewish Claims Conference established by the Germans after the war found Mr. Princz ineligible for reparations because he had not gone through the displaced persons camps set up by the Allies. Because he was an American citizen, the liberating army unit had returned him directly to the United States.

After years of battling to have this ruling overturned, last year Mr. Princz finally filed suit in a U.S. court. A Federal district judge here in Washington ruled in his favor last December. I would like to have a copy of the judge's opinion in the Princz case included in the RECORD after this statement.

Mr. Princz's victory, however, appears to be short-lived. In March, the Supreme Court issued an opinion in a case called Saudi Arabia versus Nelson that will likely end Mr. Princz's quest for justice—and not by rendering justice, but by denying it. The Nelson case holds that foreign governments cannot be sued in U.S. courts, even where the foreign government is alleged to have tortured an American citizen.

The facts of the Nelson case are outrageous, and themselves cry out for congressional action. The plaintiff in that case, is Scott Nelson, a U.S. citizen. In 1983, Mr. Nelson answered an ad in a Florida newspaper for an engineering job. The job was in Saudi Arabia in a hospital run by the Saudi Government. He got the job and moved with his family to Saudi Arabia later that year.

After a few months at the hospital, Nelson discovered a variety of health and safety violations. He duly reported them to his superiors—and was told to keep quiet. He persisted, and then, Nelson alleges, he was arrested, tortured, and thrown into a filthy and rat-infested prison to await trial on unspecified charges. Fortunately, he was released after a United States Senator intervened with the Saudi Embassy.

After returning to the United States, Nelson unsuccessfully sought compensation from the Saudi Government for his injuries. Finally, after repeated rebuffs, he brought suit. Although the court of appeals found Nelson's claim valid, the Supreme Court threw the case out of court, holding that the suit was barred under the Foreign Sovereign Immunities Act.

Today I join with my colleagues from New Jersey [Mr. PALLONE], to introduce a bill that would overturn this reprehensible decision and restore to U.S. citizens the right to redress for gross violations of human rights by Foreign Governments. This bill would create an exception to the Foreign Sovereign Immunity Act's grant of immunity for cases involving torture, extrajudicial killing, or war crimes.

The Foreign Sovereign Immunities Act serves a valuable purpose. In general, formal dealings between the United States or its citizens and foreign Governments should be channeled through the State Department. But the act was never intended to be a shield, for countries that commit atrocities against citizens. In cases like those brought by Hugo Princz and Scott Nelson, a U.S. citizen seeking redress for torture or for a war crime should have full access to our system of justice.

I urge my colleagues to cosponsor this bill.

A TRIBUTE TO SISTER AMY BAYLEY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. LANTOS. Mr. Speaker, after 11 years at the helm, Sister Amy Bayley will retire as principal of Mercy High School in Burlingame, CA. On the occasion of her retirement, I wish to pay tribute to her today. While she will be greatly missed, Sister Amy will leave Mercy High a stronger, more dynamic, and vibrant learning institution.

During her successful tenure, Sister Amy rose to every challenge she faced. One particularly difficult and defining event that called on all of Sister Amy's leadership skills was the Loma Prieta earthquake. Mercy High, located on 40 acres in the hills of Burlingame, sustained extensive damage in that 1989 quake, and Sister Amy led the charge in bringing about the urgently needed repairs.

Her campaign was a success. Not only were the \$3 million in repairs done, but they were done in a cost effective manner. Almost all incurred debt has been paid, and Mercy High looks to the future with a new lease on life.

On the academic front, Sister Amy's record is unblemished. A school with a strong and proud tradition, Mercy is a highly respected learning institution that excels in preparing students for the challenges of tomorrow.

As for future plans, Mr. Speaker, Sister Amy is weighing her options. But this much is certain: If her future is as bright as her past, we will all be hearing more of Sister Amy.

TRIBUTE TO THE 1993 GRADUATES RECOGNIZED BY THE CHALDEAN FEDERATION OF AMERICA

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. BONIOR. Mr. Speaker, I rise today to congratulate all the students being recognized by the Chaldean Federation of America at their Annual Commencement and Scholarship Program. The program is being held this afternoon at the Mother of God Chaldean Church in Southfield, MI.

An umbrella organization of Chaldean churches and civic organizations, the Chaldean Federation of America devotes the majority of its efforts to education. The Federation encourages Chaldean youth not only to remain in school, but to strive for academic excellence and achievement. Over 250 Chaldean youths graduating from southeast Michigan high schools and many others who have completed their studies at several Michigan colleges and universities will be recognized.

It is becoming increasingly evident that both individual success and the prosperity of America depend on education. It is truly encouraging to know so many of these students, who in many cases are first generation Americans, are learning this lesson early. Because of their success, the Chaldean community, Michigan and the United States, will all benefit.

I commend the graduating class of 1993 and encourage all the individuals involved to remain students for life. As our future leaders, I wish all the graduates continued success and urge my colleagues to do the same.

FAIRNESS FOR STATE AND LOCAL GOVERNMENTS

HON. CARRIE P. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mrs. MEEK. Mr. Speaker, today I am introducing a bill which will provide some relief to State and local governments that are owed back taxes on properties forfeited to the Federal Government because of criminal actions.

Because these properties are considered to have been forfeited at the time of the criminal activity, the former owners are not liable for taxes that are owed, and the Federal Government has taken the position that it cannot pay the tax liens absent direction from Congress. My legislation seeks to provide that direction, so that local governments and school boards are not denied revenue they are rightfully owed.

Years can pass between the time of criminal activity giving rise to forfeiture and the actual issuance of a forfeiture order. In the meantime, property tax bills can accumulate and local authorities have no means to collect payment. My bill will correct this situation, and I am hopeful that the Congress will act promptly to solve this problem.

TRIBUTE TO REV. ORLANDO D. RICH

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. TRAFICANT. Mr. Speaker, I rise today in honor of Rev. Orlando D. Rich who has served in the priesthood for 50 years.

Mr. Speaker, Father Rich celebrates his Golden Anniversary Sunday, June 13, 1993, in my 17th Congressional District of Ohio. Currently serving as the pastor emeritus of St. Michael Parish in Canfield, Father Rich has had a long, distinguished career. He was ordained March 20, 1943, after attending St. Charles College in Catonsville, MD, and St. Mary's Seminary in Cleveland. He moved on to become an associate at St. Anthony's Parish, Canton, Our Lady of Mount Carmel Parish, Youngstown, and St. Mary's Parish, Conneaut.

Father Rich was the first pastor of St. Frances Cabrini Parish, Conneaut, where he spearheaded an enlargement of the church with the construction of a rectory and school. Father Rich continued to effect change at St. Michael's, where he worked with parishioners to eliminate the parish debt. He remained deeply involved in the community while at St. Michael's and participated in numerous events, including several at Canfield High School. He retired in 1977.

Mr. Speaker, I would like to take this special opportunity to thank Father Rich for his 50 years of generous service to the Mahoning Valley. I join the citizens of my district in saluting him on his golden anniversary.

U.S. FISH AND WILDLIFE SERVICE LAW ENFORCEMENT CLARIFICATION AND ENHANCEMENT ACT

HON. RICHARD H. LEHMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. LEHMAN. Mr. Speaker, today I am introducing legislation to elevate the office of Law Enforcement in the U.S. Fish and Wildlife Service to the directorate level. Last year I introduced H.R. 5930, the predecessor to this bill. Unfortunately, due to time constraints inflicted at the end of the congressional session, the bill was not considered. I hope in this 103d session, Congress will demonstrate its commitment to the protection of wildlife by approving this legislation which would raise the Office of Law Enforcement from its entrenched position in the bureaucracy to the highest level in the U.S. Fish and Wildlife Service.

This legislation is necessary because law enforcement activities within the Fish and Wildlife Service suffer from low status within the agency and inadequate resources to carry out their responsibilities. To win the war against poachers we need to have increased coordination between law enforcement agencies, adequate funding, and increased emphasis for Fish and Wildlife Service's law enforcement mission. Poaching threatens not only the enjoyment of legitimate hunters but speaks to the viability of many species of wildlife.

Poaching in the United States today bears little resemblance to the sentimental image of a poor boy trying to filch a rabbit for dinner. Today's poachers are often part of large organized efforts to kill significant numbers of animals for profit, with little regard for bag limits or any other rule or law. The illegal trade in wildlife is becoming increasingly well organized and commercial. It is often associated with other criminal activities such as narcotics, money laundering, weapons dealing, and tax fraud.

Study after study in 1970, 1976, 1981, and 1990 has provided overwhelming evidence that the U.S. Fish and Wildlife Service is ill equipped to enforce the 11 Federal statutes and 5 international treaties Congress has passed to deter the problems associated with poaching. My legislation would prove that Congress is serious about enforcing these laws and protecting wildlife.

In its budget justification for fiscal year 1994, the Fish and Wildlife Service acknowledges that the complexity of field operations has progressed from primarily petty offense violations to felony violations involving illegal trafficking in wildlife, both within the United States and in foreign countries. The Fish and Wildlife Service must meet this progression with sufficient human and other resources prepared to combat illegal poaching operations.

The two principal factors responsible for decimating wildlife populations are habitat destruction and poaching. Congress is committed to addressing habitat destruction, now let us give poaching the same pledge. Passage of The U.S. Fish and Wildlife Law Enforcement Clarification and Enhancement Act will prove that we are serious about protecting wildlife from the damaging effects of illegal poaching.

GROVE AVENUE UNITED METH-
ODIST CHURCH CELEBRATES
100TH ANNIVERSARY

HON. JOHN P. MURTHA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. MURTHA. Mr. Speaker, the 100th anniversary of any event is an occasion to be celebrated. But the celebration is especially joyous when a cornerstone of the community is marking its 100th year of answering the needs of its congregation. This month the Grove Avenue United Methodist Church is both looking back to its founding in 1893 and looking forward to its second century of serving the people of Johnstown.

It was on June 6, 1893 that the Grove Avenue United Methodist Church, then known as the Moxham Methodist Episcopal Church, received its charter. The Reverend A.J. Cook was the first of the 26 ministers to serve the congregation, which is now ably served by the Reverend Fred Vanderhoff. The congregation has worshipped in the current church building since 1902, and many changes and improvements to the church have taken place since that time as the congregation has grown and prospered.

The city of Johnstown has itself undergone many changes in the past 100 years. We've seen cycles of prosperity, and periods of hard times. But the people of Johnstown have remained hard-working, dedicated, and extremely loyal to their faith. The churches of the city have been the bedrock of the community, and no church better exemplifies this than the Grove Avenue United Methodist Church. I join with the other members of our community in wishing the congregation a happy 100th anniversary, and I look forward to the Grove Avenue United Methodist Church continuing to serve the people of Johnstown for many years to come.

DEMOCRACY IN PAKISTAN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. BURTON of Indiana. Mr. Speaker, I would like to bring to the attention of my colleagues a recent development which I think many have overlooked. We have all watched with interest and awe as the tides of democracy have swept across the world and now reach to all but the darkest corners of the world. However, the stability of democracy is not something we can take for granted. In the Third World, in particular, democracy can be all too brief and ephemeral, as we most recently saw in Guatemala.

However, for each such step backward in one country, we have seen two steps forward in another. A perfect example of this is Pakistan. Last month, the President of Pakistan dismissed the government of Prime Minister Nawaz Sharif. He used authorities supposedly given to him by the eighth amendment of the Pakistani Constitution. The Prime Minister,

however, disagreed with the President's actions and used the legal and democratic institutions in Pakistan to challenge this action in the courts. This week, Pakistan's Supreme Court ruled by a vote of 10 to 1 that the President's action was "illegal and unconstitutional" and restored the previous government immediately. The newly installed Prime Minister called for a vote of confidence in the National Assembly and won with a very comfortable margin of 60 percent. I would also like to bring to my colleagues' attention a recent editorial from the New York Times which praises the court's decision and I would ask that it appear just after my remarks.

One major footnote in this power struggle was the very positive role of the army. In Pakistan's more than 45-year history, the army has always been the ultimate arbiter of power. Civilian governments ruled at the sufferance of the army and those civilians who stepped too far were removed from power. In this most recent struggle, the chief of the army staff stated very clearly that the army would not become involved in the political fight and served its proper function as a guarantor of the public safety. The army supported the President in what appeared to be a legitimate exercise of his constitutional prerogatives. However, when the supreme court ruled that the President had acted improperly, the army stood behind that decision and supported the restoration of the previous government. This is the proper role for the armed forces of any country and should be a lesson to others in the Third World.

In particular, the actions of the Pakistani army should serve as an example to their neighbors to the east, where the Indian army and police engage in daily gross violations of the basic human rights of the Kashmiri people. International human rights groups such as Asia Watch and Amnesty International have chronicled such abuses as mass murders and complete destruction of entire villages by the Indian army and security forces. India frequently calls itself the world's largest democracy, but the actions of the Indian military in Kashmir are not those of a democracy—they are those of a police state. I would urge the Indian army to look at their Pakistani neighbors as an example of how a professional military should act in a democracy.

I think many have felt that the Pakistani army was the government-in-waiting during each civilian period of rule. However, since the assassination of President Zia-ul-Haq, we have seen two democratically elected governments come to power in Pakistan in a peaceful transition of power from one civilian to another and have seen the supreme court overturn a capricious exercise of Presidential power. The past 4 years have shown that democracy has firmly taken root in Pakistan and it is there to stay because for the first time in Pakistan's history everyone wants it, most notably the army.

I applaud the supreme court, the army, and the people of Pakistan for their dramatic step forward in their democratic evolution.

THE VERDICT ON TWO COURTS—JUDICIAL
COURAGE IN PAKISTAN

A bold decision by Pakistan's Supreme Court has advanced the cause of democracy and civilian rule in a country that has expe-

rienced too little of both. The court ruled that President Ghulam Ishaq Khan exceeded his powers last month in dismissing Prime Minister Nawaz Sharif and dissolving Parliament.

No less propitious is what didn't happen. As the reinstated Mr. Sharif remarked, this time Pakistan's powerful army "played its constitutional role by keeping out of politics."

The 10-to-1 ruling in Islamabad, and its wide-spread acceptance, underscored the special status of bar and bench in a country founded by a formidable barrister, Mohammad Ali Jinnah. During long periods of martial rule ending in the 1980's, an independent judiciary struggled to contain the worst abuses. Now, in rejecting the President's right to dismiss a prime minister who holds a parliamentary majority, the Supreme Court has removed an arbitrary legacy of authoritarian rule.

It is a pity that Mr. Sharif's spirited rival, Benazir Bhutto, finds herself on the wrong side this time. In 1990 the same President, under similar circumstances, dismissed Ms. Bhutto as Prime Minister, on the same charges of corruption and incompetence. When the Supreme Court then upheld the dismissal, she assailed its ruling. Now that the court has reversed itself, so has Ms. Bhutto, whose parliamentary supporters boycotted the vote of confidence won by the Prime Minister after the latest judgment.

Americans have reason to welcome the restoration with enhanced authority, of Mr. Sharif, a moderate conservative who faces hard times at home and crises abroad. Washington and Islamabad are at odds over Pakistan's longstanding effort to develop nuclear arms and its harboring of Islamic terrorists after the decade-long war against Soviet intervention in Afghanistan.

Boostered by the court ruling, Mr. Sharif may finally be able to deal more effectively with Islamic extremists and tamp down Pakistan's nuclear rivalry with India. Both for the region and the world, the prospect of stabler, more resilient civilian government in Pakistan is indeed heartening.

DEMOCRACY AND HUMAN RIGHTS
IN THE WORLD

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. DIAZ-BALART. Mr. Speaker, I rise today to discuss the issue of democracy and human rights in the world. The nineties heralded the emergence of a new era, and the rise of a new world order, a world where democracy has prevailed over Communist and totalitarian regimes. The United States won the cold war, and with that emerged as the undisputed leader of the world. Consequently, this country shoulders a heavy burden to ensure that all people can live freely without the oppression of a totalitarian government.

Mr. Speaker, this country must support democratic governments in all countries throughout the world, even when the democratically elected government is not to our liking. In order to remain true to the principle of self-determination, this Nation should not oppose those elected to office, as long as the elections that produce national leaders are themselves fair and free. The exception to this

would be in those instances where a democratically elected government uses its democratic mandate to thwart democracy and human rights, by way of totalitarianism or dictatorship.

In countries around the world, the people's will as expressed at the ballot box, even if we do not like the results, must be respected. Accordingly, we should not support an unelected regime by default, particularly where such regimes attempt to undermine the will of the people by violent means. As Abraham Lincoln said: "The ballot is stronger than the bullet."

Therefore, it is important for the United States, as the leader of the free world, to express support to other nations contemplating democracy, and to oppose groups or regimes who would allow democracy to be derailed by unelected parties.

I urge my colleagues and the administration to demonstrate support for the enunciation of a clear policy of the United States that we support democracy and democratic elections in all nations, and that we not limit our support of democracy to instances when we are pleased with the results of elections.

THE 150TH ANNIVERSARY OF ANTHONY BAPTIST CHURCH, JERSEY SHORE, PA

HON. WILLIAM F. CLINGER, JR.

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. CLINGER. Mr. Speaker, I rise today to congratulate the congregation of Anthony Baptist Church in Jersey Shore, PA, as it celebrates its 150th anniversary as an organized church. I am pleased to have this opportunity to recognize the church as it celebrates this special occasion as part of its annual homecoming activities.

Even before its actual organization in 1843, Anthony Baptist Church was coming into life in the homes of its first members. As early as 1841, the church's pioneers met informally, and by 1843 the congregation consisted of 35 members. In 1853, Anthony Baptist Church was recognized by the German Baptist Conference, and in 1879 it received its official charter in the name of the German Baptist Church of Anthony Township. Today, the church ministers to 160 Pennsylvanians.

I am pleased to have the faithful of Anthony Baptist Church and the other citizens of Jersey Shore as part of the newly configured Fifth District. I have enjoyed meeting the good people of this beautiful area, and look forward to working with them in the future.

Mr. Speaker, the dedication of faith of this congregation throughout the past 150 years has enabled Anthony Baptist Church to arrive at this important milestone. These same values will guide the church in its next 150 years of ministry. I extend my congratulations to Pastor Roger L. Wenger and the congregation of Anthony Baptist Church, and offer them my best wishes for a memorable homecoming weekend.

INTRODUCTION OF FINANCIAL SERVICES ACCESS ACT

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. TORRES. Mr. Speaker, today I am introducing the Financial Services Access Act, legislation that will provide low-cost banking services to the general public. The need for this legislation is very real. It has become increasingly difficult for young, lower income, and elderly consumers to establish and maintain affordable bank accounts.

Today, the Consumer Federation of America and U.S. PIRG released a report documenting significant increases in bank fees for consumer checking and savings accounts since 1990. The study compared the fees of 300 banks, in 23 States. The principal findings of the report include: the average cost to maintain a NOW interest-bearing checking account grew by 22 percent, to \$197; the average cost to maintain a regular checking account grew by 18.5 percent, to \$184 a year; consumers with savings account balances of \$200 lose an average of \$23 a year—lower balances lose more; the cost of using ATMs increased by 34 percent for local networks and by 55 percent for national networks; some banks offer a no-frills alternative to regular checking, but its average cost, \$136 a year, is out of the reach of many consumers.

These increased costs of basic banking services discourage savings and force some consumers to operate on a cash-only basis. Furthermore, a survey by the American Association of Retired Persons found that 9 out of 10 financial institutions in metropolitan areas refuse to cash government checks for non-account holders. Thus, many individuals are forced to cash government benefit checks at outlets charging exorbitant fees.

Under my legislation, which is similar to S. 85 introduced by Senator HOWARD METZENBAUM, banks and savings and loans would be required to offer consumers the choice of either a low-cost checking account or a government-check-cashing service. The basic transaction account would allow for at least 10 withdrawals per month. The institution could not require an initial deposit in excess of \$25 or a minimum balance of more than \$1. The government-check-cashing-services account permits the accountholder to immediately cash government checks in amounts up to \$1,500. To use the check cashing service, the individual must register with the institution, but is not required to maintain a deposit account. For either account, banks could charge what is reasonable to cover the cost of providing the services plus earn a modest profit, not to exceed 10 percent.

The bill contains safeguards to prevent possible fraud. Proper identification would have to be provided by individuals to open an account. Furthermore, if a bank is found to be experiencing an unacceptable level of losses due to check-related fraud in providing the account services, the requirements could be suspended.

It is vitally important to ensure that a minimum level of banking services is available to

all citizens. It is time for Congress to enact legislation providing affordable banking services, particularly for low-income and elderly Americans. I urge my colleagues to cosponsor the Financial Services Access Act.

TRIBUTE TO JOANNA LAU

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. MEEHAN. Mr. Speaker, I rise today to commend Joanna Lau, the founder and president of Lau Technologies, for her outstanding contribution to the civic life and business environment in my district. Born in Hong Kong, Ms. Lau came to the United States in 1976.

Ms. Lau holds masters degrees in computer engineering and business administration, and before starting Lau Technologies, she worked for General Electric and Digital Equipment, giving her a broad range of experience in electronics and manufacturing.

When she founded Lau Technologies in 1990, Ms. Lau was doing more than simply starting a company—she was pursuing a vision. She wanted to build an enterprise based on pride in excellence at every level of operation. Her management philosophy has created a feeling of teamwork, which in turn has made Lau Technologies a leading contributor to the local economy as well as the national defense. I take great pleasure in congratulating her on her hard work and leadership.

TRIBUTE TO THE CAMPBELL MEMORIAL HIGH SCHOOL RED DEVILS

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. TRAFICANT. Mr. Speaker, I rise today in honor of the Campbell Memorial High School Red Devils, the 1993 Division III Ohio State Basketball Champions.

Mr. Speaker, the Red Devils became only the third State champion from Mahoning County in Ohio history, and they did it in convincing fashion. The Red Devils destroyed their first opponent in the tournament 86 to 37 and never looked back. Five games later, in their State semifinal, Kevin Dill and Mike Farrington combined for five slams in the first 16 minutes of the contest as they coasted to a 69 to 46 victory. After a rough start in the State final, the Red Devils took control of the fourth quarter and went on to win the championship. Dill, who scored 23 points in the final game, was named the tournament's most valuable player.

Head coach Brian Danilov and assistants T.J. Creed, Al Kelley and Eli Danilov led the Red Devils to a 21-6 overall record this season. Players on the championship team are Tom Beeson, Kevin Dill, Michael Zorio, Rob Kish, Michael Farrington, Alex Tsikouris, Jacques Jarrett, Gerald Hamilton, Ryan Merrell, Mark Rudiak, Brandon Hamilton, B.J.

Yeropoli, Cameron Smith, Rob Yankle, Jody Barillare, Eric Weaver and Michael Nicholis. Superintendent of the Campbell School District is Charles Shreve.

Mr. Speaker, my district has been through some unusually tough times. Yet, in the face of all this, the citizens of these communities continue to triumph. Campbell's State championship is testament to this courage and drive.

Thank you Campbell Memorial, I am grateful you are in my district.

HONORING S. SGT. WILLIAM W. GREEN FOR BEING SELECTED USAF NONCOMMISSIONED OFFICER CONTROLLER OF THE YEAR FOR 1992

HON. JAY DICKEY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. DICKEY. Mr. Speaker, I would like to recognize a young man from Hot Springs, AR, who is proudly serving in the U.S. Air Force at Memming Air Base, Germany.

Recently, he was selected by his peers as the 1992 U.S. Air Forces in Europe [USAFE] Noncommissioned Officer Controller of the Year. The award recognizes Sergeant Green's outstanding leadership and management abilities, significant self-improvement efforts, as well as social, cultural, and religious activities within the base community.

Sergeant Green is a prime example of the quality and caliber of men and women from Arkansas serving in our Armed Forces. Citizens in the Fourth Congressional District should be extremely proud of his dedication and commitment to this Nation and the U.S. Air Force.

IN HONOR OF RICHARD BRUNELLE

HON. VIC FAZIO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. FAZIO. Mr. Speaker, I rise today to pay tribute to Richard Brunelle, who retired after 27 years of dedicated and gifted service as a music teacher at Davis High School.

Richard, a native of southern California, has enjoyed a long and successful career in music that began when he received a B.A. in piano performance at CSU San Diego in 1957. He later earned an M.A. and secondary credential in music at CSU San Francisco in 1962. During this same time Richard was made an instructor in music on basic theory and was assistant to the dean of the Choral Department.

Richard went on after college to be offered a choral job for the United States Armed Forces in Frankfurt, West Germany, from 1962 to 1966. During his service in Germany, Richard conducted and toured with a German-American choir and performed music for Sunday services over Armed Forces Network Radio at West Germany. He also performed piano concerts and accompanied American

singers in concerts sponsored by the American Information Service. Richard's talent and dedication to his art led him to study advanced piano and accompaniment with professors at the Hessische Hochschule Fur Musik—Conservatory of Music—during his stay in West Germany.

Upon returning to the United States, Richard was employed by the Davis Joint Unified School District in 1966 as Davis High School music teacher, concentrating on the concert, madrigal and jazz choirs, symphonic and chamber orchestras, and advanced placement music theory and history.

Under Richard's impressive leadership, the choir and orchestra achieved distinction, attaining both national and international recognition.

The madrigal choir toured throughout Utah in 1978, and performed for the Mormon Tabernacle Choir in Salt Lake City. In 1986, they were chosen by Gov. George Deukmejian to represent California in Washington, DC, as the only choir in the Nation to sing for the dedication of the U.S. Capitol's National Christmas Tree Ceremony. Additionally, the group was chosen to take part in the White House Pageant of Peace Concert series in the Nation's Capital on the grounds of the White House.

In 1989, the madrigal choir gained international recognition when they performed a 10-concert tour throughout England with concerts in Oxford, Lincoln, York, and Ripon Cathedrals, Royal Hall and the Performing Arts Center in Harrogate. During this trip they were also invited to participate in the first foreign youth group in the High Wycombe Music and Performing Arts Festival near London. And, in 1992, the choir was invited to perform in Spain's Quincentennial events celebrating the 500th anniversary of Columbus' voyage to America.

Likewise, under Richard's direction, the orchestra excelled. In 1983, the orchestra received an invitation to attend the International Music and Youth Festival in Vienna, Austria, and were chosen, as one of three orchestras from throughout the world, to perform in concert under the guest conductor from the Vienna Opera. Additionally, the orchestra won several festival awards, including four Best Orchestra of Festival Awards at the Southwest Orchestra Festival in San Diego, four first place trophies for the high school division at the Pacific Northwest Orchestra Festival in Portland.

Mr. Speaker, I ask my colleagues to join me today in commending Mr. Richard Brunelle for his unparalleled accomplishments and the extraordinary guidance he provided to students in the field of music. His efforts have not only enriched the city of Davis but have added to the enjoyment of people around the world. His musical talent and expertise have been an inspiration to us all, and his presence at Davis High School will be sorely missed. I join his family and friends in wishing him continued success in the years to come.

A CENTURY OF SERVICE: THE SISTERS OF THE HOLY SPIRIT AND MARY IMMACULATE

HON. JOHN BRYANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. BRYANT. Mr. Speaker, on June 9, 1893, Mother Margaret Mary Healy Murphy, Sister Mary Joseph McNally, Sister Mary Aloysius McMullen, and Sister Mary Alphonsus Cronyn took their first vows in San Antonio's Our Lady of Light Catholic Church and initiated the Sisters of the Holy Spirit and Mary Immaculate, an order devoted to teaching and ministering to the needs of African-Americans and other poor and disenfranchised citizens.

Mary Margaret Healy was born in Ireland in 1833, and immigrated with her father to Matamoros, Mexico, to escape the potato famine. In her new home she met a Texas lawyer named John Bernard Murphy, whom she married in 1849. For 15 years, they lived on their cattle ranch near Mathis in San Patricio County, while Murphy practiced law in Freeport, Laredo, and Corpus Christi.

The couple then moved to Corpus Christi, where Mr. Murphy served as justice of peace, district attorney, and, for 4 years until his death in 1884, mayor.

A wealthy widow, Mrs. Murphy moved to San Antonio, where on Pentecost Sunday, May 29, 1887, she heard a sermon that changed her life and the life of many thousands of underprivileged children. It was a call to Catholics in the South to respond to the needs of the African-American population.

Moved to action, Mrs. Murphy, out of her own resources, built a church, St. Peter Claver, a residence for the priest, and the first Catholic free school for African-Americans in the State of Texas.

She was criticized, opposed, maligned, and persecuted for her efforts on behalf of African-American citizens, but she persisted, soon taking her vows and establishing the order that has served African-American, Hispanics, and other low-income people in many American cities and in countries from Mexico to Zambia for a century.

Over the years, the Sisters of the Holy Spirit and Mary Immaculate has expanded and contracted, it has broadened and refined its mission. Always, its commitment has been to the disadvantaged and the oppressed.

In 1970, in response to changing times, the order transformed its original foundation, the Saint Peter Claver School, from a large elementary-secondary school for African-Americans into the first alternative school for young people in crisis—the first alternative school accredited by the Texas Education Agency and the Southern Association of Colleges and Schools. It was renamed the Healy-Murphy Center in memory of its founder.

Other facilities for children and youth in crisis followed, as did housing and services for Central American refugees.

The order was a founding member of the Texas Coalition for Responsible Investments and of Camino a la Paz, a collaborative effort of San Antonio area religious congregations to promote peace and justice.

The first Camino Peace and Justice Award was presented to the Holy Spirit Sisters.

For many years, the order operated two schools in Dallas, considered among the best in the region open to African-American children—St. Peter's and St. Anthony's—targeted at poor minority children.

And today, Sisters of the Holy Spirit and Mary Immaculate, who number 151 sisters and 1 novice, serve in many cities. Its members teach at three schools in Dallas, two of them—St. Philip the Apostle and St. Augustine—located in the Pleasant Grove section of Dallas, which is part of my congressional district.

On the occasion of the order's 100th anniversary, I commend and call to the attention of my colleagues and the American people the significant contributions of the Sisters of the Holy Spirit and Mary Immaculate to the less fortunate and the oppressed.

**TRIBUTE TO DOMINIC SEVERINI
AND FRED SEVERINI, JR.**

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. BONIOR. Mr. Speaker, I rise today to pay tribute to Mr. Dominic Severini and Mr. Fred Severini, Jr. for receiving the Macomb County Distinguished Citizen Award. Both men will be honored at an awards dinner sponsored by the Clinton Valley Council Boy Scouts of America.

Among the many organizations Dominic and Fred have assisted are the Mount Clemens General Hospital, Clinton Township Goodfellows, Clinton Moravian Kiwanis Club, Clinton Valley Boy Scouts, and Macomb Community College.

Fred has served as president of the Clinton Moravian Kiwanis Club. He has been a member of the Clinton Township Building Authority. He currently serves as a board member of the Italian-American Chamber of Commerce and the Italian Senior Citizen Softball Association. Dominic serves as chairman of the Macomb Performing Arts Center's fundraising committee. He also serves on the Clinton Township Cable Commission and on the Mount Clemens General Hospital Board of Directors.

Dominic and Fred were born of immigrant Italian parents. In 1969, they joined their brother Vincent to form a successful insurance and accounting firm. Since then they have entered into the property development and construction business. The Severini's constructed the Fern Hill Village Apartment complex and a nine-hole golf course in the early 1970's. Fern Hill eventually developed into a major activities center including banquet facilities for up to 800 people, six racquetball courts, and a 12-lane bowling alley.

This is the first year this distinguished award will go to more than one honoree. I ask my colleagues to join me in saluting Dominic and Fred Severini for being given the Macomb County Distinguished Citizen Award.

A TRIBUTE TO A WISE MAN

HON. CHARLES H. TAYLOR

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. TAYLOR of North Carolina. Mr. Speaker, 67 years ago on March 29, 1926, a son was born to the Reverend William Cecil Reese and his wife, Mary Dockery Reese, in the Walnut Creek Community area of Madison County. He was the 12 of 15 children. After he was born, his mother told the doctor that she had run out of names and asked what he would suggest. The doctor said, "He looks like he's going to be a wise man to me. Name him Plato." And so he became Plato E. Reese.

The book of Proverbs says, "The fear of the Lord is the beginning of wisdom." As the son of a circuit riding Baptist minister, Plato was taught early this kind of wisdom. It manifest itself through the years of his life in the way he lived. His daughter, Mrs. Jean Letterman, the supervisor of the Hendersonville, NC Social Security office, remembers fondly his example of honesty. "There was absolutely no doubt of his steadfastness, loyalty, and honor. It gave us a real sense of security." His wife, Mrs. Agnes Freeman Reese, recalls 48-years of happy life together—"It's been great," she says.

Plato was a member of the Etowah Baptist Church, where he served as a deacon for well over a quarter of a century. His motto was to try to do something to help someone every day. He took seriously the biblical injunction to help orphans and widows. He would plow gardens, cut grass, share financially with those in need, or simply visit on a daily basis the lady dying with cancer or the man who had suffered a stroke.

He would often tell his daughter, "You're the only one we have, so we have to adopt some others." Indeed, he was always reaching out to old and young alike. Shannon Whipple, a neighbor girl, wrote in a college essay about his generosity of spirit, sharing of wisdom, and outpouring of love. She told of how when she was little, she had fallen in love with one of his horses. "The day he brought Star to our barn and handed me her lead line was one of the happiest days of my life." She went on to tell how "Plato came to our farm on another memorable, though not so joyful day. I was going through what I will call my dark times. He neither lectured, nor scolded. He came to say he loved me, valued me, supported me, and was praying for me. That terrible time is now only a grey memory. The only bright part is the affection expressed in Plato's tears that morning."

Plato was a charter member of, and served many years on, the board of directors of the Etowah-Horse Shoe Volunteer Fire Department. He was a charter member of the Etowah Lions Club, in which he was active over 38 years. He was the retired branch manager of public service of North Carolina's Brevard office, where he served for 22 years. Previously he was employed by the Olin Corp. for 16 years in Pisgah Forest. During all of this time, like his father, he was also an active farmer.

Plato Elbert Reese unexpectedly passed from this life on June 7, 1993. He is survived

by his wife, Agnes Freeman Reese; his daughter, Jean Reese Letterman; his grandchildren, Bryan and Laura Letterman; his brothers, the Reverend Joseph Reese of Marshall, NC, Moses Reese of Morganton, NC, Enoch Reese of Etowah, NC, the Reverend Levi Reese of Bluff City, TN, and Oakley Reese of Asheville, NC; and by his sisters, Lula Steehl of Greenville, TN, Minnie Buckner of Greenville, TN, and Leila Easterly of Cullowhee, NC. He is survived also by the memory of his example and influence, which lives on in the lives of the many he touched. Our people and Nation would be blessed to have many more men with his kind of wisdom.

**REV. ANTHONY A. NOVIELLO
HONORED**

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. KANJORSKI. Mr. Speaker, today I rise to pay tribute to Rev. Anthony A. Novello of Holy Rosary Church in Wilkes-Barre. On June 6, 1993, Reverend Novello will be honored by friends and parishioners at a Golden Jubilee Celebrated Mass.

Reverend Novello was the second of eight children born to the late Genarro and Rose Piccolo Novello. A native of Williamsport, Reverend Novello received his elementary education at George Washington School and graduated from Williamsport Senior High. He then enrolled at St. Thomas College, now the University of Scranton, where he graduated after a period of two years. Reverend Novello then completed his examinations for the seminary and began his ecclesiastical vocation at St. Mary's Seminary located in Baltimore, MD. Reverend Novello then returned to his native area and was ordained on June 5, 1943, at St. Peter's Cathedral, Scranton, by Bishop William J. Hafey. His first assignment was at St. Dominic's Church in Parsons where he was an assistant pastor. He held subsequent assignments as assistant pastor at St. Anthony's, Dunmore; Holy Rosary, Wilkes-Barre; Our Lady of Grace, Hazleton; Holy Trinity, Hazleton; Church of the Epiphany, Sayre; and St. Anthony's, Freeland, where he was later appointed pastor on September 30, 1959. On September 8, 1962, Reverend Novello was transferred to Holy Rosary Church where he remained until his retirement on June 28, 1992.

During his tenure at Holy Rosary, Reverend Novello was involved with the renovation of the church, the construction of a new rectory, and celebration of the 75th Jubilee of the founding of the church. He was also successful in bringing the International Pilgrim Virgin Statue of our Lady of Fatima to our area.

An active and vibrant member of the community, Reverend Novello was involved with the Wyoming Valley Chapter of Pennsylvanians for Human Life. His diocesan credits included membership on the consultative committee, diocesan committee on vocations, diocesan liturgical commission. He was also a member of the special commission for liturgy.

Reverend Novello has set an example of hard work, dedication and commitment to his

community. It is an example that we all should follow. I am pleased to join Reverend Novello's many friends and parishioners in honoring him for his 50 years of faith and devotion.

**TRIBUTE TO DR. DANIEL
HOUGHTON, JR.**

HON. EARL HUTTO

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. HUTTO. Mr. Speaker, I would like to take a moment to commend a native Floridian, Dr. Daniel Houghton, Jr., of Fort Walton Beach.

On June 22, 1992, Dr. Houghton will have the honor of being inducted as the 72d president of the American Optometric Association before his peers as AOA's 96th Annual Congress in Anaheim, CA. Dr. Houghton was first elected to the 29,000 member organization's board of trustees in 1986. Dr. Houghton is a past president of the West Florida Optometric Association, the Florida Optometric Association and the Southern Council of Optometrists. In 1978, he was named Florida Optometrist of the Decade.

Locally, Dr. Houghton served 4 years on the Fort Walton Beach City Council and was mayor pro tem in 1970-80. He is a past president of the local Jaycees and was a leader in the Okaloosa County Lions Club. He also has been active in the Elks, Rotary Club, Kiwanis Club, Shriners, Chamber of Commerce and other civic and church groups.

Dr. Houghton has distinguished himself as an outstanding leader and I am certain he will bring the ability which has characterized his professional career with him as he undertakes the position of president of the American Optometric Association.

**INTRODUCTION OF LEGISLATION
TO RECOGNIZE CERTAIN INDIAN
TRIBES**

HON. PETER HOEKSTRA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. HOEKSTRA. Mr. Speaker, today I join my colleagues from Michigan, Congressmen DALE KILDEE and DAVE CAMP, in reintroducing legislation which formally recognizes the tribal government and people of the Little River Band of Ottawa Indians and the Little Traverse Bay Band of Odawa Indians. By formally reaffirming the government-to-government relationship between the government of the tribes and the Government of the United States, this legislation will ensure that the tribes receive the just and equitable treatment that they deserve. Fair and equitable treatment has been absent from our Government's policy toward these tribes in the past—it is time to restore honor and decency to our nation's treatment of these native Americans.

The Bureau of Indian Affairs has refused to formally recognize the governments of these

tribes, although historical documentation demonstrates that the tribes have had, and continue to have, formal government-to-government relations with the United States, State and local governments and other tribes. The tribes are direct descendants of those inhabiting parts of western Michigan and the Upper Peninsula since before European settlement. Their leaders were signatories to the Treaty of Washington in 1836 and the Treaty of Detroit in 1855. Despite their rich history, the Department of Interior's administrative process for recognition has continued to fail them and they are no closer to obtaining formal recognition than they were several years ago.

I believe that legislative relief is the most appropriate means for these tribes to seek reaffirmation of their political relationship with the Federal Government. The Federal Acknowledgement Process, administered by the Bureau of Indian Affairs, was never intended to apply to treaty tribes which have been previously acknowledged, as is the case with these tribes. The tribes have been petitioning the U.S. Government for reaffirmation and enforcement of their treaty rights for over 100 years. At this juncture, it seems unjust to require the tribes to continue to rely on the expensive and lengthy Federal acknowledgement process.

The time has come to formally recognize these tribes. This legislation has broad-based support from local governments and businesses in the State of Michigan, as well as other federally recognized tribal governments. I strongly support this legislation and urge my colleagues to support it as well.

TRIBUTE TO RAY TRAVAGLINI

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. TRAFICANT. Mr. Speaker, I rise here today to pay tribute to a true American who has given an incredible amount of time and effort to his community. Recently awarded the Distinguished Citizen Award by the Alumni Association of Youngstown State University, Ray's life story could have been written by Horatio Alger.

Mr. Speaker, Ray Travaglini was born in Greenville, PA, the son of Perugino Travaglini and Mary Ann D'Falco. After graduating from Penn High School, where he lettered in football and basketball, Mr. Travaglini was employed by the Pennsylvania Power Co. He subsequently took a job with the Kroger Co. working his way up from the stock room to become store manager.

He established his own business in water conditioning, and in 1964 joined forces with Sandy B. Petruso to found the Imperial Development Corp., which built numerous apartment complexes, office buildings, gas stations, and car washes. In 1968, the partnership, now known as Sanray Corp. built its first Perkins restaurant. The partnership has since flourished to 32 Perkins restaurants employing over 2,500 people, and in 1991, was presented a special award from the president of Perkins franchising. Sandalini's Bistro, located

in Meadville and built in 1977 has won national acclaim as one of the country's finest restaurants and, in 1991 was expanded to double its size. He also owns three radio stations: 1331 AM, WZKC; 1470 AM, WRQQ; and 95.9 FM, WHTX.

Mr. Travaglini's charitable endeavors have been numerous, and he has availed himself to many organizations on their behalf. Boys' Towns and Girls' Towns voted him an honorary citizen, and in 1979 he was presented their Anniversary Award for Man of the Year of Boys' Towns for his dedication to their cause and in raising over \$300,000 for these children. A past president of the Italian Scholarship League, he was named that organization's man of the year in 1984 and has continued to raise scholarship funds in excess of \$400,000 for deserving students. In 1992 he was named man of the year by the National Italian-American Sports Hall of Fame, Mahoning Valley Chapter, an organization he founded, and which has established the Ray Travaglini Annual Award Scholarship in his honor.

Mr. Speaker, Ray Travaglini's civic participation is also noteworthy, as evidenced by his being named man of the year by the Mahoning Valley Economic Development Corp. in 1985. He also serves on the board of directors of Bank One of Youngstown, N.A. and is a past board member of the Youngstown State University's Penguin Club.

Perhaps best known for his ardent support of all sports, Mr. Travaglini annually produces the Sandalini's sports banquet in conjunction with his partner Sandy Petruso. In its 14th year, the banquet raises funds for scholarships given to Youngstown State University students and brings to the area some of the greatest sports celebrities of all time.

Beyond his many business and civic accomplishment, he has undertaken many fundraising projects to assist a variety of organizations such as the Boy Scouts of America, American Heart Association, Easter Seal Society, and the City of Hope. He has also received many commendations from area legislators and public officials.

The father of a son and four daughters, Mr. Travaglini enjoys big game hunting and sports in his leisure time.

**HELP BRING FAIRNESS TO THE
TAX CODE'S TREATMENT OF
CHILD SUPPORT**

HON. CHRISTOPHER COX

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. COX. Mr. Speaker, the failure to pay child support is truly a national disgrace. This year, more than \$5 billion in child support obligations will go uncollected. Less than half of all child support payments will be paid in full, and nearly one-third will never be made at all.

The Federal Tax Code presently does little to prevent nonpayment of child support. In fact, tax laws actually allow delinquent parents to avoid their legal obligations—and instead punish the custodial parents who are forced to make ends meet without the assistance of child support payments.

Today, I am introducing legislation which will eliminate these perverse incentives, and bring fairness to the Tax Code's treatment of unpaid child support. My bill, the Child Support Enforcement Act, will allow custodial parents a bad debt tax deduction for amounts of unpaid child support, and require individuals who have been delinquent in their child support obligations to count unpaid amounts as taxable income. These sensible reforms will provide custodial parents with a measure of tax relief, while giving delinquent parents a strong financial incentive to pay their child support in full and on time.

What's more, the Child Support Tax Equity Act will also raise significant revenues for the U.S. Treasury. According to the Joint Committee on Taxation, this legislation will reduce the deficit by \$47 million over the next 6 years.

I invite my colleagues to cosponsor this important bill, so that we may finally bring fairness to the Tax Code's treatment of child support payments.

HOW THE CHILD SUPPORT ENFORCEMENT ACT WORKS

Section 108 of the Internal Revenue Code (relating to "income from discharge of indebtedness") requires a debtor who successfully avoids paying a previously due obligation without offering other consideration to recognize the amount of that unpaid debt as gross income. This ensures that taxpayers who receive an economic gain from not paying a debt are treated the same as taxpayers who work to receive a similar economic gain in the form of a salary or wage. However, this provision presently allows a parent who has successfully avoided his child support obligation to avoid paying tax on the "income" that he has, in effect, received by not paying his child support.

The Child Support Enforcement Act will amend Section 108 to require a parent who has been delinquent in payment of child support to count this windfall gain on his taxes. This reform in no way relieves a parent of his legal obligation to pay child support; and, if he subsequently pays his child support, he will then be allowed to deduct such amount in the taxable year in which the payment is made.

Section 166 of the Internal Revenue Code (relating to "bad debts") allows a taxpayer who cannot collect a debt to deduct the amount of the bad debt from calculations of gross income. Unfortunately, it does not allow a mother who has been unable to collect legally obligated child support payments to deduct the amount of this bad debt from her taxes.

The Child Support Enforcement Act will amend Section 166 to allow a taxpayer to take a bad debt deduction equal to the amount of legally obliged child support that goes unpaid. If a delinquent parent is required to pay taxes on the value of his "gain," it is logical to permit the other taxpayer—the custodial parent—to take a deduction for a bad debt loss. The maximum deduction allowed under this legislation will be \$5,000 per child per year. And all taxpayers whose adjusted gross income does not exceed \$50,000 per year will be eligible to take this deduction. (The average income for families not receiving child support is under \$12,000.) Subsequent child support payments for which a deduction has already been taken shall be included by the custodial parent as taxable income in the year in which the payment is eventually made.

REVENUE EFFECTS

The Joint Committee on Taxation finds that the tax provisions in the Child Support Enforcement Act will raise \$47 million in revenue over six years. This is true because the delinquent parents—usually fathers—who will be required to pay the discharge of indebtedness tax are, as a rule, in higher tax brackets than the parents—usually mother—who will be allowed the bad debt deduction.

TRIBUTE TO DR. FRANCO GIORDANO

HON. THOMAS M. FOGLIETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. FOGLIETTA. Mr. Speaker, I rise on this occasion to salute Dr. Franco Giordano, as he is honored by the Italian American Associations of the Delaware Valley on Italian National Day. Dr. Giordano has worked tirelessly during his tenure in Philadelphia as Consul General of Italy to the Mid-Atlantic States to unite the Italian-American community and to promote a positive image of Italian-Americans by providing and fostering numerous cultural and educational programs.

Dr. Giordano, born in Turin, Italy, graduated from the University of Turin with a degree in political science, and was admitted to the diplomatic service by competitive examination in May of 1979. His career flourished as he served as Consul in Hong Kong from September 1979 until December of 1982, when he was appointed First Secretary at the Italian Embassy in London.

Dr. Giordano returned to Italy in 1987 as Counsellor at the political affairs department of the Ministry of Foreign Affairs in Rome, where he served until being called to Philadelphia in 1990, where he lives now with his wife, Bianca, and their son, Andrea. As an Italian-American Member of Congress, I am proud to honor Dr. Giordano on this great occasion.

TRIBUTE TO MRS. EDNA JOHNSTON

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to Mrs. Edna Johnston, of Escanaba, MI, in Michigan's First Congressional District, which I represent. On June 12, 1993, her friends and family will join in celebrating her 90th birthday and a lifetime of accomplishments.

This exceptional woman is a beacon in the Escanaba community, radiating life and love to those around her. One of eleven children, Edna grew up on a farm in Spalding, MI, where she developed a love for animals and nature. Continuing this love for the outdoors she chooses, even at the age of 90, to walk to her destination when given the chance. But children seem to be her best friends. There are some who say that children are the best judge of character. This must be true because

Edna never fails to befriend a child. Though she never had any children of her own, Edna's extended family is large and loving and encompasses many more than blood relatives.

Working for years as a cook at the Gladstone Golf Course which she managed with her late husband, Loren, Edna Johnston perfected a culinary art form and is now known for baking the best pies in the Upper Peninsula. Combining her love for children and cooking, she indefatigably continued to serve the community working as a cook for the Pine Ridge School.

With the youthfulness of a teenager and the wisdom of a queen, Edna attacks every task before her, whether it is planning her own birthday party or rooting for her favorite baseball team, the Chicago Cubs. She has been a diehard fan for years, watching every game and knowing every player's name. There are those who think that the Cubs might finally win a pennant if Edna was manager.

Edna possesses gifts that we all hope for: An unquenchable zest for life and an ability to never stop caring for and giving to others. She has been a pillar in the community, always informed, helpful, and gracious. She is strong when strength is needed; possesses a sense of humor when things are too serious. Always dignified, she helps others before herself. A person of Edna Johnston's caliber is rare and we are blessed to have Edna grace our lives.

Mr. Speaker, Edna is truly a remarkable individual. I am fortunate enough to count Edna Johnston as a constituent and a friend that I admire greatly. It is not only my, but all of Escanaba's hope that Edna will continue to enjoy life with the same spirit that has driven her these past 90 years. We can never adequately express our gratitude for including us in her life. Congratulations Edna, and best wishes.

HONORING JOHN V. PULICE ON THE OCCASION OF HIS RETIREMENT AS SUPERINTENDENT OF THE LITTLE LAKE CITY SCHOOL DISTRICT

HON. ESTEBAN EDWARD TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. TORRES. Mr. Speaker, I rise today to recognize John V. Pulice, superintendent of the Little Lake City School District. John is retiring from the Little Lake City School District after 35 years of service in public education and will be honored at a special dinner on June 11, 1993.

Born and raised in Los Angeles, John, his wife, Genevieve, and I were classmates at Robert Louis Stevenson Junior High School and at James A. Garfield High School where we graduated in the class of winter 1949. In 1953, John received his bachelor of science degree in education from the University of Southern California. He completed his masters of arts in education administration from Whitier College in 1963. John and Genevieve have been married for 42 years and they have five children and eight grandchildren.

John has dedicated his career to serving the students, families, and community of the Little

Lake City School District. From 1953-57 John worked as a teacher in the Downey Unified School District. In 1957, he began his distinguished and exemplary career with the Little Lake City School District as a curriculum consultant.

In 1960, John was appointed principal of Gettysburg/Paddison Elementary School, where he served for 10 years. From 1970-76 he served as principal of Lake Center Junior High School and he served as assistant superintendent of curriculum services from 1976-81.

In 1981, John began his tenure as superintendent of Little Lake. Under his leadership, the school district has successfully implemented numerous programs combating the problems of declining enrollment, school funding, and closure of school sites.

John's volunteer activities are numerous and include membership in the board of directors of Norwalk Chamber of Commerce and Santa Fe Springs Chamber of Commerce. He has also served as an activity director on the Norwalk Chamber Education Foundation and the Los Angeles County Schools Regionalized Business Services Corp.

In 1989, John was honored by the City of Santa Fe Springs Soroptimist as "Knight of the Year." In addition, he has been honored as "Outstanding Administrator" by the California Association of Compensatory Education and the Superintendent of Public Instruction Hispanic Council.

Mr. Speaker, on June 11, 1993, John V. Police will be honored by the Little Lake City School District, his family, friends, and civic leaders for his exemplary contributions to public education and the community of Santa Fe Springs. I ask my colleagues to join me in thanking and saluting my friend for his outstanding record of unselfish service.

KASHMIR'S BRUTAL AND UNPUBLISHED WAR

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. BURTON of Indiana. Mr. President, I would like to bring to my colleagues' attention an article in Monday's Washington Post on India's continued brutal suppression of the Kashmiri people. The world's largest democracy is also conducting one of the largest unofficial wars. India has poured more than 500,000 troops in Kashmir, making it probably the region with the highest ratio of soldier to civilian anywhere in the world.

The article states that according to local journalists, lawyers, and doctors, between 12,000 and 20,000 people have died in the past 4 years, most of them victims of Indian troops and police. Summary execution, "encounter killings," torture, and disappearances are common daily occurrences in an area that was once renowned for its scenic beauty. The Indian Government even refuses to allow observers such as Amnesty International to enter Kashmir officially. Kashmir and the Punjab are India's dirty little secrets.

I would call upon my colleagues to join me in pressing India to live up to its self-pro-

claimed mantle of democracy. A true democracy does not hide its little secrets—it deals with them openly and fairly. That is what makes a democracy a democracy, and India has yet to live up to that standard.

[From the Washington Post, June 7, 1993]

KASHMIR'S BRUTAL AND UNPUBLISHED WAR (By Molly Moore and John Ward Anderson)

SRINAGAR, INDIA.—Masroof Sultan said he was on his way to college chemistry finals when Indian security officers pulled him off a city bus, hauled him to an interrogation camp, accused him of being a terrorist and tortured him with repeated electric shocks.

The troops then drove the 19-year-old student to a deserted canal bank and leaned him against a tree, where, Sultan recalled, five officers fired at him. Sultan crumpled to the ground, and one of the officers pumped another three bullets into his body. Two hours later, the Indian security forces told police to retrieve the corpse of a militant who had been killed near the canal in the cross-fire of a gun battle.

The only unusual part of Sultan's story is that he lived to tell it. Doctors said the husky teenager, who lost an estimated 13 pints of blood, survived primarily because none of the bullets punctured vital organs or vessels.

In recent months, a conflict little noticed in most of the world has begun to escalate in the deceptively bucolic mountain valley of Kashmir, where residents say Indian army and security forces are waging a brutal campaign of torture, terror and killings against militants fighting for independence. While militants also are accused of murders, rapes and other atrocities, residents say Indian troops are far more brutal.

The struggle is choking everyday life in Kashmir, where many more civilians are dying than either military forces or rebels. According to records maintained by local journalists, lawyers and doctors, between 12,000 and 20,000 people have been killed in slightly more than three years of violence.

"We are living in fear and terror," said Amina Nazir, a shopkeeper's wife. Her tidy second-floor apartment overlooks the charred debris of Srinagar's main shopping area, Lal Chowk, where government forces burned more than 200 houses and shops last month in retaliation for a guerrilla attack on an empty military building.

"There is no justice, no law and order," Sultan said in a bedside interview at the Bone and Joint Hospital, where he has undergone four operations for the injuries he received April 8. "A security person can do what they want to catch any person. I am not a militant. I just wanted to do my studies."

Indian officials interviewed in New Delhi insisted that Sultan was a militant who was caught in the cross-fire of a gun battle between guerrillas and security forces.

The battle over Muslim-dominated Kashmir has led to two of the three wars fought between Pakistan and India, both of which lay claim to the jagged snowy peaks and lush green valleys where generations of British colonialists escaped the New Delhi heat aboard wooden houseboats floating serenely on Lake Dal.

U.S. military officials view Kashmir and the tensions it has created between the neighboring countries as one of the world's most likely flash points for nuclear war. A growing number of political observers in the region believe the 46-year-old struggle can only be resolved with pressure from the United States or the United Nations.

The United States recently has entered the debate by warning Pakistan that it risks being named a terrorist state if it continues arming, training and financing the guerrillas in Kashmir. U.S. officials also have raised concerns with India over alleged human rights abuses by its military forces.

In addition to its political standoff with Pakistan, India finds itself in a struggle with its own people. Kashmir was granted an unusual status during the partition of Pakistan and India in 1947, and it has remained a disputed territory ever since. In the last four decades, the sentiment of the residents has fluctuated among apathy, a desire to become part of Pakistan and support for independence from both countries.

Violence erupted in last 1989 when militant Kashmiris, frustrated by years of political stalemate, drew strength from the withdrawal of Soviet troops from Afghanistan under pressure from guerrilla forces. Aided by arms and other support from Pakistan, the militant Kashmiris launched their own war for freedom.

Residents of the far northern Indian state are so opposed to New Delhi that the conflict has become to India what Vietnam was to the United States and Afghanistan to the Soviet Union: a debilitating war costing millions of dollars and thousands of lives with no coherent political policy to control it and little chance of victory.

"It's an absurd figure we're spending for no reason whatsoever," Salman Khurshid, India's minister of state for external affairs, said in describing the budget drain of deploying a minimum of 300,000 troops along the Indian-Pakistani border and throughout the valley.

For the almost 8 million residents of the Kashmir region, the effects of the violence have been devastating: Life in a valley that centuries of writers and poets have described as paradise on Earth has become a nightmare. Parents say they live in terror that their children will be killed in gun battles on the way home from school. Social life has dried up, with citizens afraid to venture out of their houses after dusk. Most governmental institutions have ceased to function, and the tourist-driven economy has collapsed.

Security forces daily cordon off large sections of the city, pulling hundreds of residents out of their homes in search of militants and weapons. Each day, young men suspected of being militants are nabbed by Indian security and military forces in what residents have dubbed "catch-and-kill" operations.

There are no reliable figures on the number of people who have been killed as a result of the violence, but most estimates—including those by the U.S. State Department—suggest that civilians suffer the greatest number of casualties. For instance, in February, March and April of this year, the Kashmir Times newspaper reported, the death toll from the violence was 371 civilians, 291 militants and 42 soldiers.

Human rights organizations have issued scathing reports on the conflict. "The security forces have been given free rein to murder detainees in custody, kill civilians in reprisal attacks and engage in torture, rape and arson—all with impunity," said Patricia Gossman, who has written recent reports for the New York-based human rights group Asia Watch.

In an interview with the national news magazine India Today, Jammu and Kashmir Gov. K.V. Krishna Rao replied to a question about deaths in custody and human rights

violations: "I genuinely feel bad if torture leads to death."

Khurshid said there are extenuating circumstances: "I'm not justifying for a minute what any officer has done in any part of Kashmir, but one has to understand the stress in which they are working. We're not fighting kids throwing stones—we're fighting trained militants."

With more than 30 different militant groups vying for power and control of territory, the guerrillas are accused of executions, rapes and extortion, particularly against Hindu minorities living in the valley.

"People are fed up with both sides," said a Srinagar businessman who asked that he not be identified for fear of retribution from one side or the other. "We are sandwiched between the two and dare not speak out about either side."

The cities and countryside of Kashmir look like war zones. The streets are dotted with sandbagged command posts draped in rope netting to protect security troops from the grenades that militants routinely lob at them. Indian security forces, uncertain who is friend or foe, keep their fingers on their gun triggers.

Doctors, human rights workers and others who document abuses by both government forces and militants have become targets. Since last December, three of the valley's most prominent critics of human rights violations—particularly those involving atrocities by government forces—have been shot dead. There is no conclusive evidence of who killed the men, although Farooq Ahmed Ashai, the chief orthopedic surgeon of the Bone and Joint Hospital, was shot while driving his car past a military bunker.

"I feel very insecure," said Mufti Bahaiddin Aftab, a former chief justice and human rights activist who said the killings of his colleagues prompted him to curtail his own investigations. "I hesitate to go out of my house now. Everybody feels scared. There's no accountability. Where there is no accountability, it is a free-for-all by uniformed people."

Javed Mohammed Mir, acting president of the Jammu and Kashmir Liberation Front, one of the largest militant organizations here, acknowledged that some atrocities have been committed by militants and said that a "coordination committee" of six militant organizations has considered the evidence and executed about a half-dozen of their "antisocial" members.

Throughout the Kashmir valley, government services have become almost nonexistent, but most alarming, according to some human rights activists and attorneys, is the collapse of the criminal justice system. From police on the street to justices on the state Supreme Court, the legal system has been abused, compromised and corrupted to terrorize and unjustly imprison innocent victims, they said.

The violence has devastated the local economy, which was almost entirely dependent on a world-renowned tourist industry. In 1988—the biggest boom year for tourism—722,000 people visited the region's serene lakes, majestic mountains and poplar-dotted valleys, infusing \$200 million into the local economy and government coffers. Last year, only 10,400 hardy tourists visited the area.

Businessmen and craftsmen say some of their trades may become impossible to pursue if the upheavals continue. The Victorian houseboats that line the shores of the lakes near Srinagar have been a major tourist draw for more than a century, ever since

laws prohibiting British citizens from owning land in Kashmir prompted them to improvise and build palatial floating retreats on the water.

All but a handful of the region's hotels have been commandeered by Indian soldiers, who have lined the windows with sandbags and allowed magnificent gardens to be overrun by weeds.

Kashmir's top religious leader, Mir Waiz Farooq, 19, who inherited the mantle at an unusually young age after his father was shot and killed three years ago, said he believes India, Pakistan and the rebels are incapable of negotiating a solution. "We appeal to the United States to intervene as they did in the [Persian] Gulf War and in Afghanistan," he said.

IN TRIBUTE TO DR. SHELDON D. BEYCHOK

HON. JAMES A. HAYES

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. HAYES. Mr. Speaker, I rise today to pay tribute to Dr. Sheldon D. Beychok, who is stepping down as chairman of Louisianians for American Security, after many years of exemplary service.

For his entire adult life, Shelly Beychok has worked to foster the special relationship that our Nation shares with Israel. His focus on world affairs, however, has not diminished his efforts to make Louisiana a better place to live.

Dr. Beychok has displayed many talents during his storied and varied career. He is a distinguished jurist, a successful businessman, an educator, and statesman. He is a genuine legend in Louisiana politics.

Dr. Beychok has excelled in all of his endeavors, and in doing so provided an example to which our young people may aspire. He served as executive counsel to Gov. Edwin Edwards in his first term. He has served as a member, and chairman, of the board of supervisors for Louisiana State University. And, more recently, he earned a Ph.D. in political science from LSU, where he is now an adjunct professor. Dr. Beychok also currently serves as a member of the Louisiana Democratic State Central Committee.

In short, Shelly Beychok has done it all, has done it well, and, I am certain, will continue to contribute to our community for years to come. He is a man of honor and commitment, and for this he has been lauded both in our country and by the Government of Israel. There is no more effective advocate than Shelly Beychok when he believes a cause is just.

I am thankful for his contributions to our State, to our Nation, and to American-Israeli relations, as are the many people whose lives he has, and will continue to touch. I wish him well upon his retirement, and, Mr. Speaker, I wish to thank my colleagues for joining me in recognizing Shelly for a job well done.

CONGRESSIONAL ARTS CAUCUS AWARD PRESENTED TO MAESTRO MSTISLAV ROSTROPOVICH

HON. LOUISE MCINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Ms. SLAUGHTER. Mr. Speaker, the Congressional Arts Caucus today had the opportunity to welcome internationally acclaimed musician and conductor Mstislav Rostropovich, musical director of the National Symphony Orchestra. During his 16 years at the helm of the National Symphony, Maestro Rostropovich has worked tirelessly at transforming the company into a world renowned and critically lauded symphony. Even more importantly, he has been a tireless champion of human rights and an advocate for artistic freedom.

Honored today for his efforts on behalf of humanitarian causes and his ability to unite people with his extraordinary talent, Maestro Mstislav Rostropovich was presented with the Congressional Arts Caucus Award.

My remarks in presenting the Congressional Arts Caucus Award follow:

PRESENTATION OF CONGRESSIONAL ARTS CAUCUS AWARD TO MAESTRO MSTISLAV ROSTROPOVICH

It is indeed a pleasure to welcome today Mstislav Rostropovich, acclaimed conductor and musician who is now in his sixteenth and final season as the musical director of the National Symphony Orchestra. Under his leadership, the National Symphony has flourished into an internationally renowned company, which has toured extensively in the U.S. and abroad, generated several critically acclaimed recordings as well as performed nationally broadcast concerts. Both personally and professionally, Maestro Rostropovich has garnered the attention of the world media.

As an international celebrity, he has earned innumerable honors; yet, what has set him apart as a truly remarkable and exceptional individual has been his unwavering, personal commitment to human rights and artistic freedom. The 1990 National Symphony tour of the Soviet Union marked his first return to his native country since his departure in 1974. As a young man growing up in the Soviet Union, he was considered an acclaimed cellist and a member of the country's cultural elite. However, his defense of writer Alexander Solzhenitsyn and his open criticism of the Soviet government's practices led to his banishment from official musical life in the 1970's. Prohibited from performing abroad or with major Soviet orchestras, his name was removed from all reference books, magazines, and newspapers—in essence destroying what was his musical career.

Even in achieving world-wide success and acclaim, his ties to and love for his homeland have continued to guide him in his actions. No one here will forget his presence during his courageous trip to Moscow to join President Boris Yeltsin and the Russian people in resisting the attempted coup. In addition, he has performed numerous benefit concerts in the United States and abroad in support of humanitarian efforts and has recently turned his attention to raising funds for the first modern children's hospital in Moscow. He has come to symbolize the spirit

of cultural detente—allowing us each to recognize the role of the arts in contributing to the vitality and strength of society, even under the most trying of circumstances. On behalf of the Caucus, I would like to present the Congressional Arts Caucus award to Mstislav Rostropovich, "who through his extraordinary talent and unwavering devotion to cultural freedom is a living symbol of the role of the artist in the advancement of society."

TRIBUTE TO KATHY ANN KOPPER

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. TRAFICANT. Mr. Speaker, I rise here today to pay tribute to a young girl in my 17th District of Ohio who is an outstanding all around person. Only 14 years old, Kathy Ann Kopper is a very mature little lady.

Mr. Speaker, Kathy Ann Kopper has distinguished herself with her academic and athletic endeavors. She placed first in the district level History Day for Historical Papers in 1992, then she went on to place 12th in the State competition. She has been the only student to go to the Youngstown State University Science Fair all 4 years she was eligible.

Kathy Ann Kopper has been a cheerleader for 2 years. She has also been a member of the bowling team and is the captain of her team this year.

Mr. Speaker, recently Kathy Ann placed first in our district in the Speak for Yourself category of the Respecteen competition. This competition was created to allow teenagers to voice their opinions on issues of the day. Respecteen tries to recognize the insights and concerns of young people in all communities.

Mr. Speaker, I was the author of the Good Teen Day legislation that was designed to celebrate teenagers like Kathy. It gives me great pleasure to be able to recognize her and all other mature, responsible teenagers everywhere.

TRIBUTE TO MRS. GENEVIEVE J. SWICK

HON. RONALD D. COLEMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. COLEMAN. Mr. Speaker, I rise today to pay tribute to Mrs. Genevieve J. Swick, who is retiring this week after serving 45 years in Government, 35 of those years as executive secretary to the commanding general of the Army's Air Defense Center at Fort Bliss.

Mrs. Swick began her career in 1947, working for a short time for the Immigration and Naturalization Service. She came to Fort Bliss in 1957 and stayed long enough to serve 17 commanding generals, 3 interim commanders and 2 deputy commanding generals.

She will be honored at numerous functions in El Paso. She will be the guest of honor at

the Air Defense artillery's commanders banquet. Today is my turn to wish her well and thank her for her patriotic service to our country.

One of her former commanding generals has said, "Lieutenant General Swick has touched the deepest part of my soul, as there is no greater 'Soldier.'" And she has earned that kind of respect from all she worked for or worked with.

Perhaps that respect is proffered because of the undying respect she also carried for her supervisors. In 1989, as guest speaker on Secretary's Day, Mrs. Swick said, "You must be willing to carry a heavier load, to go a little farther, and to step out into uncharted waters in support of your boss; keeping in mind, this is not, nor will it be a popularity contest nor a self-serving endeavor."

Mrs. Swick is a volunteer for the Habitat for Humanity organization and will go to Russia this fall to set up an office in the former Soviet Republics. Although she will leave her official duties, she also plans to maintain her involvement with the Hospice of El Paso.

Her daughter, Caroline Swick Benson, is currently studying psychology at the University of Texas at El Paso. She no doubt shares with us great pride in her mother's accomplishments and her spirit of volunteerism. Mrs. Swick's late husband, Nelson, was an accountant.

Mrs. Swick's service, her dedication, her professionalism will be sorely, sorely missed. I ask my colleagues to join me in saluting this fine El Pasoan and true patriot.

SALAD OIL IS NOT A HAZARDOUS MATERIAL

HON. BOB FRANKS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. FRANKS of New Jersey. Mr. Speaker, today I rise to bring to my colleagues' attention a regulatory absurdity that is being perpetrated by the U.S. Department of Transportation's Research and Special Programs Administration [RSPA]. This rule concerns the bulk transportation of previously unregulated oils, and requires carriers affected by the rule to prepare and maintain oilspill response plans. This rule, if finalized, would have the effect of classifying vegetable and animal oils used in most foods as a "hazardous material." Such a rule would boost consumer prices, add millions of dollars to business costs, and not benefit the environment. This rule would subject food oils to the same restrictions as petroleum or fuel oil.

Mr. Speaker, this is a perfect example of bureaucracy overreaching and overstretching the intentions of Congress. The law of unintended consequences is at work here. Certainly Congress did not intend for peanut oil, salad oil, corn oil, olive oil, and other edible oils to have the same stigma as PCB's and formaldehyde.

Mr. Speaker, this rule will cost jobs at a time when this Nation can least afford to lose any

more. For example, Hudson Tank Terminals of Newark, NJ, estimates that this rule will require the hiring of another three employees just to keep track of the paperwork, and will cost this small company \$5 million in compliance costs. I believe that instead of heaping inane regulation upon inane regulation on small business, the Federal Government should be looking for ways to cut redtape and help small business.

Mr. Speaker, should this rule go into effect, I will introduce legislation to immediately repeal it. I am hopeful that RSPA will recognize the absurdity of this rule before Congress is forced to act. I suggest to RSPA that instead of treating edible oils as hazardous, a more apt classification would be a new category called Regulated, Non-Hazardous. However, I believe the best course of action would be for RSPA to drop this whole ridiculous business and concentrate on real hazardous wastes. We already have enough pointless, job-destroying regulations in this country.

STAATSBURG VOLUNTEER FIREMEN DEDICATE ADDITION TO FIREHOUSE

HON. GERALD B.H. SOLOMON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. SOLOMON. Mr. Speaker, as you know, volunteer firemen are special people for me.

It isn't just the fact that I was a volunteer fireman myself in my hometown for over 20 years. What really makes them special to me are the sacrifices they make and the great job they do in providing fire protection in rural America.

That is why, Mr. Speaker, I'd like to say a few words today about the firemen of Staatsburg, NY.

On Sunday, June 27, they will be dedicating the new addition to the Dinsmore Firehouse. The addition enlarges the station enough to house the larger, more efficient equipment firefighters will need to continue providing adequate fire protection to the community.

This, Mr. Speaker, is typical of the efforts volunteer fire companies constantly make to upgrade their skill levels, their equipment, and anything else needed to provide the best possible protection. Volunteers are constantly attending advanced training sessions. Firefighters from every walk of life give generously of their time to help their neighbors. That's what volunteer firefighting is all about.

The results speak for themselves. In New York State alone, countless lives and billions of dollars worth of property are saved every year by the professionalism and prompt response of volunteer fire companies.

It will be my privilege to provide Staatsburg firefighters with an American flag flown over the Capitol building in their honor.

Mr. Speaker, I ask you and other Members of this body to join me today in congratulating the Staatsburg Fire District for the addition to its firehouse, and in saluting this dedicated group of Americans.

TRIBUTE TO HAM OPERATORS

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. QUILLEN. Mr. Speaker, amateur radio operators from all over the country will be participating in annual field day activities on June 26-27, and I would like to take this opportunity to salute all of the talented Americans who utilize their spare time in the pursuit of excellence in amateur radio.

Ham operators, as they are better known, have been active in the United States almost since Marconi discovered the wireless. The American Radio Relay League was founded in 1914 in Newington, CT. Today it boasts 160,000 members nationwide, with hundreds of local member organizations, including the Johnson City Amateur Radio Association, of Johnson City, TN, which I am privileged to represent.

Amateur radio provides enthusiasts with countless hours of education and enjoyment. But more importantly, these radio operators, who often possess a considerable degree of technical expertise, serve the public in various ways. Disasters, both natural and man-made, can disrupt normal communications and can create great confusion in and beyond the affected areas. Through wars, hurricanes, earthquakes, floods, and most recently the "Blizzard of '93," it was concerned ham radio operators who kept the world apprised of the conditions inside the danger zones. Their talents allowed disaster aid to be distributed effectively, and their diligence and tirelessness helped families who were separated by distance but united by concern.

Since radio signals cross the boundaries of countries and continents, ham radio operators possess a unique window on the world that many of us lack. For years, amateur radio has allowed many who lived under the Iron Curtain or in underdeveloped countries to communicate freely with their American counterparts. Radio allows those with disabilities to travel the world from their homes, and it brings its many users across America closer together.

Mr. Speaker, I commend America's amateur radio operators for their dedicated public service, and I extend my best wishes to all those participating in the American Radio Relay League's Field Day activities.

TRIBUTE TO MICHAEL BOHNEN

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. FRANK of Massachusetts. Mr. Speaker, we rely very heavily in our effort to provide the right quality of life for all Americans on our voluntary associations, and they of course depend heavily on the willingness of people who are often very busy in their own lives to volunteer their time for worthy causes. I think it is important for us to take note when a particular individual renders this kind of service in an extraordinary way, both by way of expressing

our gratitude, and even more important by providing examples for others. Too often we hear people tell us that they are too busy or face too many demands in their professional lives to be able to volunteer. It's therefore beneficial for people to know of individuals who face all of these pressures, and still find time to be exemplary contributors through voluntary activity.

One of the best examples of this is Michael Bohnen, who is about to step down as president of the Jewish Community Relations Council in Greater Boston. As the head of the corporate law department at a major Boston law firm, Mr. Bohnen is clearly a busy professional. At the same time, he has been an outstanding leader for the Jewish community of Greater Boston—and because of the breadth of the JCRC's activities for the Boston community as a whole. He is not only a tireless worker—he is a highly intelligent and very sensitive one, who has presided with extreme skill and integrity over a large organization in which volunteers and professionals alike have combined to produce very significant positive results. Without the kind of leadership he has shown, the results would have been far less productive.

Presiding over the JCRC is of course hardly the only activity that Michael Bohnen has engaged in. Previously he was the chair of the social planning and allocations committee of Combined Jewish Philanthropies, he has been president of the Solomon Schechter Day School, and was the chairman of Boston's Israel Independence Day celebration. He is moving on to other responsibilities in the communal life of Boston. The people of Greater Boston, and especially the Jewish community, will continue to benefit from Michael Bohnen's strong commitment to helping other people. His is an example which others would do well to emulate.

TRIBUTE TO KELLY WORK FORCE

HON. FRANK TEJEDA

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. TEJEDA. Mr. Speaker, I rise today to pay tribute to the wonderful men and women who comprise the work force at Kelly Air Force Base in San Antonio, TX. I was born and raised in the shadows of Kelly and am proud to say that Kelly's work force, whose contributions are valuable to the Air Force and the entire military, form an integral part of the San Antonio community.

Kelly is home to the San Antonio Air Logistics Center, which is one of five major Air Force industrial centers in the United States. Today Kelly handles over 50 percent of the Air Force's engine inventory, all the aerospace fuels used by the Air Force and by NASA, and over 240,000 stock items. It also provides refueling facilities for the space shuttle's piggyback mother ship, and manages, supports, or maintains numerous Air Force aircraft, including the C-5 cargo jet.

According to Air Force studies, Kelly ranks high on many performance criteria including labor costs, productivity, and expansion capa-

bility. In the areas of quality and unique facilities and workloads, Kelly rates far better than average. These accomplishments distinguish Kelly Air Force Base as a truly remarkable industrial complex and reflect the dedication and spirit of the people of San Antonio who have contributed so much to its development. As evidenced during Operations Desert Shield and Desert Storm, America is fortunate to have such a highly motivated and competent work force.

Kelly Air Force Base employs 4,850 military personnel and 16,342 civilians. Out of the total 25,812 workers, more than 9,000 are Hispanics. This constitutes the largest number of minority Federal employees at one location. In addition, approximately 50 percent of all Hispanics in the Air Force and 15 percent of all Hispanics in the Department of Defense work at Kelly. Kelly has served as an integral part of the local economy and an important source of stability and prosperity for Hispanics in San Antonio.

With ongoing reductions in our defense budget there is a resulting need to close defense facilities. Even though Kelly is on the Base Closure Commission review list, Kelly is much too important to close. On Saturday, June 5, 1993, Kelly Air Force Base supporters held a rally at the base to greet Base Closure Commissioner Peter Bowman. More than 20,000 people united at the Case for Kelly rally to show their loyalty to Kelly and demonstrate Kelly's importance to all of San Antonio. Thousands traveled to Corpus Christi on Sunday to attend the Commission's regional hearing. Kelly has been a part of San Antonio families for generations and last weekend's turnout demonstrated their dedication and pride. I am proud to represent in Congress those Kelly workers and their families who have supported and honored Kelly Air Force Base with their service.

CONGRATULATIONS TO WLNG

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to recognize and congratulate radio station WLNG of Sag Harbor, NY, for being selected as 1 of 10 national winners of the Crystal Radio Award for its outstanding commitment to community service. The Crystal Radio Award winners were recently announced at the National Association of Broadcasters convention, honoring the very best in the industry.

Since beginning operations 30 years ago, WLNG has displayed an outstanding commitment to public and community service. In 1992 WLNG dedicated a remarkable 30 percent of its airtime to benefiting the community. Last year the station performed 122 fundraising events, aired 21,900 public service announcements, carried 3 hours a day of public affairs information, and 12 minutes of news per hour during prime time broadcasts. During a severe December storm that was Long Island's worst in decades, WLNG's dedicated staff aided enormously with disaster relief efforts, some of it while standing ankle-deep in flood waters.

Mr. Speaker, I take great pleasure in congratulating WLNG on receiving the Crystal Radio Award. WLNG's dedication to serving the people of Long Island is an excellent example for other broadcasters to follow. I wish WLNG the best of luck on continuing their fine work.

THE 13TH DISTRICT PARALYMPICS ATHLETES HONORED

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1993

Mr. FORD of Michigan. Mr. Speaker, I rise today to congratulate and recognize three of my constituents, Erika Benjamin, Chris Pyrkosz, and Marguerite Maddox. The three athletes, who have cerebral palsy, will be competing with able-bodied athletes for the first time in a national competition in October. All three athletes represented the United States in the 1992 Paralympics in Barcelona, Spain.

Erika Benjamin, a resident of Westland, MI, won the gold medal for the 5000 meter bicycle race and set a new world record of 8 minutes and 38 seconds in Barcelona. Erika is a graduate of John Glenn High School and has participated in many track and field competitions. Erika has been competing in cycling events for 6 years and competing in track and field events for 10 years. She has competed in many international and national events.

Chris Pyrkosz, from Livonia, is presently a student at Schoolcraft Community College pursuing a degree in computer science. Chris, who has been competing for 13 years, placed sixth in the Barcelona Paralympics in the 1500 m cycling event. Chris has also competed in many international and national events. His personal motto is, "There is nothing I cannot achieve if I put my mind to it."

Marguerite Maddox, who is also hearing impaired, is the veteran of the team. She has been competing for 17 years and has participated in various track and field events. Marguerite has competed in many international events, including competitions in Denmark, Scotland, and South Korea. Her personal best is her capture of the bronze medal in the 1990 World Championships in Holland. Marguerite is a 1990 graduate of Franklin Adult Education with a degree as a physical therapy assistant. Marguerite believes that, "when you have dreams, go all out to achieve them, no matter how long it takes."

To participate in the paralympics, athletes must qualify for the U.S. Disabled Sports Team by placing in both regional and national cycling events. While it was each athlete's first time participating in the Paralympics, Erika and Marguerite did represent the United States during the 1990 international cycling events in Holland.

The athletes have been training for the past year with the Association for Retarded Citizens [ARC] Bicycle Program, which teaches cycling skills to individuals with disabilities. The individuals receive intense training that develops recreation, fitness, and transportation skills. The program reinforces the image that

individuals with disabilities are capable community cyclists rather than unable adults. Unfortunately, the ARC Bicycle Program is the only one of its kind. The program provides the athletes with a feeling of accomplishment and equality and I am hopeful that the program will continue to grow.

Erika Benjamin, Chris Pyrkosz, and Marguerite Maddox redefine how our society views individuals with disabilities and they demonstrate that they can compete against able-bodied individuals. The three cyclists are an inspiration and I commend them for their outstanding accomplishments.

I wish them the best of luck in the competition in October and in the 1996 Olympics.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, June 10, 1993, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JUNE 11

9:00 a.m.

Joint Economic

To hold hearings to examine the economies of the former Soviet Union and Central and Eastern Europe.

SD-628

9:30 a.m.

Armed Services

Coalition Defense and Reinforcing Forces Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense, and to review the future years defense program, focusing on the Department of Defense's requirements for modernization of tactical combat aircraft.

SR-222

Governmental Affairs

Regulation and Government Information Subcommittee

To hold hearings to examine the need for procedures on judicial records.

SD-342

10:00 a.m.

Appropriations

Foreign Operations Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for foreign assistance programs, focusing on

transnational issues including population, environment, health, narcotics and anti-terrorism.

SD-138

2:00 p.m.

Indian Affairs

To hold hearings on the President's proposed budget request for fiscal year 1994 for the Bureau of Indian Affairs.

SR-485

JUNE 14

2:30 p.m.

Armed Services

Coalition Defense and Reinforcing Forces Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense, and to review the future years defense program, focusing on Army long-term modernization requirements and modernization programs.

SR-222

JUNE 15

9:30 a.m.

Labor and Human Resources

Labor Subcommittee

To hold hearings to examine the increasing use of contingent labor (part-time, temporary, contracted or leased workers) and the effect on the full-time workforce.

SD-430

Indian Affairs

To hold hearings on the proposed "Indian Fish and Wildlife Enhancement Act."

SR-485

10:00 a.m.

Appropriations

Interior Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the Department of Energy.

S-128, Capitol

Armed Services

Regional Defense and Contingency Forces Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal year 1994 for the Department of Defense, and to review the future years defense program, focusing on Marine Corps programs.

SR-232A

2:00 p.m.

Joint Organization of Congress

To resume hearings to examine congressional reform proposals, focusing on staffing.

H-5, Capitol

JUNE 16

9:00 a.m.

Labor and Human Resources

Business meeting, to mark up S. 919, to authorize funds to establish a Corporation for National Service, enhance opportunities for national service, and provide national service educational awards to persons participating in such service, and S. 636, to revise the Public Health Service Act to permit individuals to have freedom of access to certain medical clinics and facilities, and to consider pending nominations.

SD-430

9:30 a.m.

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Environment and Public Works

Clean Water, Fisheries and Wildlife Subcommittee

To hold hearings on proposed legislation authorizing funds for the Federal Water Pollution Control Act.

SD-406

Governmental Affairs

Federal Services, Post Office, and Civil Service Subcommittee

To hold hearings to examine performance in the Federal Government, focusing on bureaucracy, rising costs, and the use of private contractors.

SD-342

Indian Affairs

Business meeting, to mark up S. 293, to provide for a National Native American Veterans' Memorial, S. 654, to authorize additional funds for the Indian Environmental General Assistance Program Act of 1992, and S. 521, to assist the development of tribal judicial systems; to be followed by continued hearings on the proposed "Indian Fish and Wildlife Enhancement Act."

SR-485

10:00 a.m.

Appropriations

Treasury, Postal Service, General Government Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the Office of National Drug Control Policy.

SD-116

Joint Organization of Congress

To continue hearings to examine congressional reform proposals.

S-5, Capitol

2:30 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 294, to formulate a program for the research, interpretation, and preservation of various aspects of colonial New Mexico history, S. 310, to revise title V of P.L. 96-550, designating the Chaco Cultural Archaeological Protection Sites, S. 313, to revise the San Juan Basin Wilderness Protection Act of 1984 to designate additional lands as wilderness and to establish the Fossil Forest Research Natural Area, S. 643 and H.R. 38, to establish the Jemez National Recreation Area in New Mexico, S. 836, to revise the National Trails System Act to provide for a study of El Camino Real de Tierra Adentro, S. 983, to study the El Camino Real Para Los Texas for potential addition to the National Trails System, S. 1049 and H.R. 698, to protect protect Lechuguilla Cave and other resources and values in & adjacent to Carlsbad National Park, and H.R. 843, to withdraw certain lands located in the Cornado National Forest from the mining & mineral leasing laws of the U.S.

SD-366

JUNE 17

9:30 a.m.

Governmental Affairs

To hold hearings to examine Environmental Protection Agency contract management problems.

SD-342

10:00 a.m.

Environment and Public Works

Superfund, Recycling, and Solid Waste Management Subcommittee

To hold hearings on S. 773, to require the Administrator of the Environmental Protection Agency to establish a program to encourage voluntary environmental cleanup of facilities to foster their economic redevelopment.

SD-406

Joint Organization of Congress

To continue hearings to examine congressional reform proposals, focusing on the administration of House and Senate offices.

S-5, Capitol

2:00 p.m.

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on pending legislation.

SD-366

Joint Organization of Congress

To continue hearings to examine congressional reform proposals.

S-5, Capitol

Ethics Study Commission

To resume hearings on reforming the process the Senate uses to investigate and decide on alleged ethical misconduct by Senators.

SR-253

JUNE 18

9:30 a.m.

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings to examine waste, fraud, and abuse in the Government, and ways of streamlining Government.

SD-192

JUNE 21

9:30 a.m.

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To hold hearings on proposed budget estimates for fiscal year 1994 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

1:30 p.m.

Appropriations

Labor, Health and Human Services, and Education Subcommittee

To continue hearings on proposed budget estimates for fiscal year 1994 for the Departments of Labor, Health and Human Services, and Education, and related agencies.

SD-192

JUNE 22

9:30 a.m.

Indian Affairs

To hold hearings on S. 925, to reform the accounting and management processes of the Native American Trust Fund.

SR-485

2:00 p.m.

Joint Organization of Congress

To resume hearings to examine congressional reform proposals, focusing on legislative and executive relations.

H-5, Capitol

JUNE 23

10:00 a.m.

Veterans' Affairs

To hold hearings on proposed legislation relating to the Veterans Administration's health care programs.

SR-418

JUNE 24

9:30 a.m.

Rules and Administration

To hold hearings on S. 716, to require that all Federal lithographic printing be performed using ink made from vegetable oil.

SR-301

10:00 a.m.

Indian Affairs

To hold hearings on the President's proposed budget request for fiscal year 1994 for Indian programs within the Department of Education and the Administration for Native Americans.

SR-485

Joint Organization of Congress

To resume hearings to examine congressional reform proposals, focusing on legislative and executive relations.

S-5, Capitol

JUNE 29

10:00 a.m.

Joint Organization of Congress

To resume hearings to examine congressional reform proposals.

H-5, Capitol

2:00 p.m.

Joint Organization of Congress

To continue hearings to examine congressional reform proposals, focusing on legislative and judicial relations.

H-5, Capitol

JULY 1

10:00 a.m.

Joint Organization of Congress

To resume hearings to examine congressional reform proposals.

S-5, Capitol

POSTPONEMENTS

JUNE 10

10:00 a.m.

Appropriations

Defense Subcommittee

To hold closed hearings on proposed budget estimates for fiscal year 1994 for the Department of Defense, focusing on intelligence programs.

S-407, Capitol